



An
Coimisiún
Pleanála

Inspector's Report

PL-500962-CK-26

Development

Construction of a house, domestic garage, on site waste water treatment unit and all associated site works.

Location

Coolkirky, Riverstick, Co. Cork

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

256804

Applicant(s)

Darragh McCarthy

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Richard Gash

Observer(s)

None

Date of Site Inspection

18 May 2026

Inspector

Natalie de Róiste

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1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Coolkirky, approximately 2 km to the north of the village of Riverstick in Co. Cork, and c. 16 kilometres south of Cork city. The subject site is accessed off a narrow local road, which is in turn accessed off the R600, the Cork to Kinsale road. The site is set back from the public road, behind a site recently granted permission for a house and wastewater treatment plant (ABP-321247-24 (reg ref 244429)), for the applicant's brother. This site is under construction, with the vehicular entrance formed. The subject site is taken from a larger field which is indicated as being land in the ownership of the applicant's father – a house to the west is indicated as being the applicant's parents' house. There are three houses located immediately to the west of the site, facing towards it, at right angles to the road. Another house to the south of these is accessed via a long lane. The subject site has a stated area of 0.323 hectares and is currently being used as a construction compound for the adjacent house under construction. The applicant's father has provided a letter of consent to make the application, giving his address as Glinny, Riverstick.
- 1.2. Riverstick is served by commuter bus services between Cork city and Kinsale. It has local amenities including a GAA club and community centre. The nearest primary school is in Belgooly.

2.0 Proposed Development

- 2.1. Construction of a two-storey dwelling house (269 sqm) with four bedrooms, office, and study, carport (20 sqm), domestic garage (23 sqm), on site wastewater treatment system, and all associated site works. Access is via the site entrance as approved in ABP-321247-24 (reg ref 244429), with a c. 80-metre long driveway. Water supply is proposed via a domestic well.

3.0 Planning Authority Decision

3.1. Decision

Grant permission.

3.1.1. Conditions

Five conditions as follows:

Condition 1 – occupancy condition.

Condition 2 – development contributions.

Condition 3 – waste water treatment system.

Condition 4 – use of the garage.

Condition 5 – surface water management.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Report dated 16 Feb 2026 – this report noted the site context, the scattered pattern of development in the locality, and the planning history (previous refusals by the Board on the site following third party appeals, recent grant of permission on adjacent site, and sterilisation condition on 01/5976). It noted the 2005 Sustainable Rural Housing guidelines, and the policy of the County Development Plan, which categorises the site as being within a 'rural area of strong urban influence', and the requirement for applicants to comply with specified categories of housing need in Objective RP 5-4. Objective RP 5-24 states a presumption against development which would contribute to or exacerbate ribbon development. Objectives RP 5-22 and RP-23 deal with design. The applicant's housing eligibility is noted, the third party submission and the council engineer's lack of objections are noted. Visual impacts are considered acceptable. A grant of permission is recommended.

Technical Reports

- Area Engineer – no objection subject to conditions on surface water, wastewater, sightlines, road cleaning, and the use of the garage.

3.3. Prescribed Bodies

No reports on file.

3.4. Third Party Observations

One from the appellant, raising issues as covered in the appeal.

4.0 Planning History

- On site

ABP-317526-23 Cork County Council ref 22/6091

Construction of dwelling house, garage, wastewater treatment unit and all site works. Permission refused by the Board following third party appeal against grant, for two reasons.

The first reason considered that the proposed development would exacerbate and consolidate a trend towards the establishment of an excessive density of haphazard rural housing in an unzoned rural area which would lead to an erosion of the rural and landscape character of the area and which would lead to increased demands for the uneconomic provision of public services and facilities, where these are neither available nor proposed in the Cork County Development Plan.

The second reason referred to contributing to ribbon development and being contrary to objective 5-24 of the County Cork Development Plan 2022-2028.

ABP-311674-21 (Cork County Council ref 21/5697)

Construction of dwelling house, garage, wastewater treatment unit and all site works. Permission refused by the Board following third party appeal against grant, for one reason.

The single long reason for refusal refers to the site location within an area under strong under influence as per Development Plan policy and Ministerial guidelines, and Development Plan policy to channel housing into serviced centres, and restrict housing development in such areas to people who demonstrate a genuine need to live in the countryside. The Board was not satisfied that the applicant's housing need could not be met within a town or settlement. The Board also considered that the development would exacerbate and consolidate a pattern of haphazard rural housing in an unzoned rural area which would erode the rural and landscape character of the area and which would lead to increased demands for the uneconomic provision of public services and facilities.

- On larger landholding

ABP 321247-24 (Cork County Council ref 244429)

Construction of house, garage, wastewater treatment system. Permission granted subject to 10 conditions by An Bord Pleanála following a third party appeal. This house is located due north of the currently appealed site.

Cork County Council ref 05/1364

Construction of Stables. Permission granted following further information.

Cork County Council ref 01/5976

Dwellinghouse and domestic garage.

5.0 Policy Context

5.1. Cork County Development Plan 2022-28

- 5.1.1. The County Development Plan has specific provisions relating to rural areas which identifies various rural area types which follows national guidance and outlines policies for the rural area types, distinguishing between urban and rural generated housing need.

Objective I 1-1 National Planning Framework is to *ensure consistency with and support the achievement of the National Strategic Outcomes and National Policy Objectives of the National Planning Framework.*

Objective RP 5-1: Urban Generated Housing is an objective to *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 has as an objective *to sustain and renew established rural communities, by facilitating those with a rural generated housing need to live within their rural community.*

Encourage the provision of a mix of house types in towns and villages to provide an alternative to individual rural housing in the countryside.

5.1.2. The site is part of a 'rural area under strong urban influence' as identified in **Figure 14.3 Prominent and Strategic Metropolitan Greenbelt Map** of volume 1 of the plan and also Volume 6 (maps).

5.1.3. *Paragraph 5.4.4 Rural Area under Strong Urban Influence and Town Greenbelts* sets out the following:

The rural areas of the Greater Cork Ring Area outside the Metropolitan Greenbelt are now within easy commuting distance of Cork City as a result of road and infrastructural improvements. These areas exhibit characteristics such as rapidly rising population, evidence of considerable pressure from the development of (urban generated) housing in the open countryside due to proximity to such urban areas / major transport corridors, pressures on infrastructure such as the local road network and higher levels of environmental and landscape sensitivity. The Town Greenbelts define the visual setting around the main towns and have been established to prevent sprawl and control linear roadside development.

5.1.4. A relevant objective to this rural area is Objective RP 5-4.

5.1.5. **Objective RP 5-4: Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1)**

The rural areas of the Greater Cork Area (outside Metropolitan Cork) and the Town Greenbelt areas are under significant urban pressure for rural housing. Therefore, applicants must satisfy the Planning Authority that their proposal constitutes a genuine rural generated housing need based on their social and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need:

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

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

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

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

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

5.1.6. **Section 5.6 Environmental and Site Suitability Requirements** provides guidance on the general planning and sustainable development criteria, considered by the planning authority in the assessment of a planning application. The following criteria are outlined in 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;*
- *Whether the proposal involves excessive site excavation or mounding;*
- *Whether the site is in an exposed or visually sensitive location;*
- *Whether the proposal is on a dangerous or high-speed stretch of road;*
- *Involves access onto a National Primary or Secondary Route;*
- *Whether any proposed vehicular entrance would endanger public safety or give rise to a traffic hazard;*
- *Whether an excessive length of roadside hedgerow or trees need to be removed to provide an entrance;*
- *Whether the proposal would threaten drinking water supplies because there is an over-concentration of septic tanks / treatment plants and private wells in the area;*
- *Whether there are any sewage disposal, drainage, water supply or other environmental concerns;*
- *Whether there is a risk of flooding;*
- *Whether there are any pollution or public safety concerns;*
- *Whether the proposal would unduly affect other properties in the area*
- *Whether there are any archaeological or other natural or cultural heritage factors involved; and*
- *Whether it is in an important landscape or nature conservation area.*

Arising from the above criteria County Development Plan Objective *RP 5-22 Design and Landscaping of New Dwelling Houses and Replacement Dwellings in Rural Areas* is an objective to;

- 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.*
- d. Require the appropriate landscaping and screen planting of proposed developments by retention of existing on-site trees hedgerows, historic boundaries,*

and natural features using predominantly indigenous/local trees and plant species and groupings.

5.1.7. **Objective RP 5-23: Servicing Single Houses (and ancillary development) in Rural Areas** has an objective;

- a) Ensure that proposals for development incorporating on-site wastewater disposal systems comply with the EPA Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10).
- b) Surface water should be disposed of using sustainable drainage systems and in a manner that will not endanger the receiving environment or public health. The use of permeable paving should also be considered to reduce run off.

5.1.8. **Objective RP 5-24: Ribbon Development** is a presumption against development which would contribute to or exacerbate ribbon development.

5.1.9. **Section 5.7** refers to Ribbon Development

Section 5.7.1 "Ribbon development" is formed by the development of a row of houses along a rural road outside of settlement boundaries. The Sustainable Rural Housing Guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. Therefore, it is the policy of the Council to discourage development which would contribute to or exacerbate ribbon development (defined by Cork County Council as five or more houses on any one side of a given 250 metres of road frontage). Intending applicants are advised to consult with the Cork Rural Design Guide in relation to site selection.

Section 5.7.2 The Planning Authority will assess whether a given proposal will exacerbate such ribbon development, having regard to the following;

- *The type of rural area and circumstances of the applicant;*
- *The degree to which the proposal for a single dwelling might be considered an infill development;*
- *The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development;*

- *Local circumstances, including the planning history of the area and development pressures; and*
- *Normal Proper Planning and Sustainable Development Considerations.*

Section 5.8 Use of Occupancy Conditions and Sterilisation Agreements and Objective RP 5-25 Occupancy Conditions set out that Section 47 occupancy conditions shall normally be imposed on houses permitted in rural areas, with sterilisation agreements used in exceptional circumstances.

Chapter 14 Green Infrastructure and Recreation aims to protect and enhance biodiversity, provide for recreational and amenity facilities and maintain and enhance landscape character. In relation to landscape the site is not located within a high value landscape as outlined in **figure 14-2 High Value Landscapes** of the plan.

Objective GI 14-9: Landscape

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

5.1.10. **Chapter 15 Biodiversity and Environment** aims to protect the natural environment, biodiversity and ecosystems, and contribute to efforts to reverse the loss of biodiversity and the degradation of ecosystems and the environment.

5.1.11. **Objective BE 15-6 Biodiversity and New Development** is to provide for the protection and enhancement of biodiversity in the development management process and when licensing or permitting other activities by:

- b) Encouraging the retention and integration of existing trees, hedgerows and other features of high natural value within new developments;*

c) Requiring the incorporation of primarily native tree and other plant species, particularly pollinator friendly species in the landscaping of new developments;

5.1.12. Chapter 16 Built and Cultural Heritage contains **Objective HE 16-21 Design and Landscaping of New Buildings;**

a) Encourage new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.

d) Require the appropriate landscaping and screen planting of proposed developments by using predominantly indigenous/local species and groupings and protecting existing hedgerows and historic boundaries in rural areas. Protection of historical/commemorative trees will also be provided for.

5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

5.2.1. **National Planning Framework – Project Ireland 2040**

5.2.2. The National Planning Framework – Project Ireland 2040 is a high-level strategic plan for shaping the future growth and development of Ireland to 2040. A key objective of the Framework is to ensure balanced regional growth, the promotion of compact development and the prevention of urban sprawl. It is a target of the NPF that 40% of all new housing is to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites with the remaining houses to be delivered at the edge of settlements and in rural areas.

5.2.3. National Policy Objective 19 (National Policy Objective 28 in the 2024 update) refers to the necessity to demonstrate a functional economic or social requirement for housing need in areas under urban influence, ie. the commuter catchment of cities and large towns and centres of employment. This will also be subject to siting and design considerations, having regard to the viability of smaller towns and rural settlements. In rural areas elsewhere, it refers to the need to facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2.4. National Policy Objective 33 (National Policy Objective 44 in the 2024 update) is to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

5.2.5. **Sustainable Rural Housing Development Guidelines 2005**

The Rural Housing Guidelines seek to provide for the housing needs of people who are part of the rural community in all rural areas and makes a distinction between 'Urban Generated' and 'Rural Generated' housing need. Chapter 4 of the guidelines relates to rural housing and planning applications and states that in areas under significant urban influence, applicants should outline how their proposals are consistent with the rural settlement policy in the development plan. Examples are given of the types of circumstances for which 'Rural Generated Housing Need' might apply, including 'persons who are an intrinsic part of the rural community' and 'persons working full time or part time in rural areas'. 5.2.2. The Guidelines further require that new houses in rural areas be sited and designed in a manner so as to integrate well with their physical surroundings and generally be compatible with water protection, roads, traffic and public safety as well as protecting the conservation of sensitive areas.

5.3. **EPA Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) 2021.**

5.4. The Code of Practice (CoP) provides guidance on domestic waste water treatment systems (DWWTSs) for single houses or equivalent developments with a population equivalent (PE) of less than or equal to 10 and sets out a methodology for site assessment and selection, installation and maintenance of an appropriate DWWTS. The CoP in the various chapters sets out in detail requirements and guidance on site characterisation, site suitability assessment, determining site suitability and the appropriate design solution in relation to an appropriate DWWDT. It also refers to designing an on-site DWWTS to treat and dispose of the waste water addressing can the soil and/or subsoil accommodate the waste water volumes; can the soil and/or subsoil treat the waste water sufficiently and can all minimum separation distances be met.

5.5. Natural Heritage Designations

Cork Harbour SPA 004030 – 8 km northeast

Sovereign Islands SPA 004124 – 13 km south

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

One appeal was received, from Richard Gash, with an address at Coolkirky, against the grant of permission. The appeal had numerous appendices, including planning history, Inspector's reports and Board decisions for previous applications, extracts from the Ministerial Guidelines, and an annotated aerial photograph showing the appellant's property and other dwellings, as well as the sites of the proposed and permitted developments. Issues raised are summarised as follows:

- The Council decision offers no evidence of material change since the previous Board refusals on the site, in 2022 (under the previous plan) and 2024 (under the current plan). The Board found then that the area had an excessive amount of one-off dwellings, and did not have capacity to absorb further development. The recent grant of permission for the applicant's brother's proposal (which the inspector acknowledged would contribute to a trend of an excessive density of haphazard rural housing) has exacerbated the situation.
- While that grant of permission shows that the Board was prepared to allow one additional dwelling in specific circumstances, it does not follow that further development is acceptable; rather, that grant further constrains capacity. Cumulative

development impact, rather than individual site suitability, was central to the previous refusals.

- The proposed development would result in approximately 7 dwellings within 200 metres of road frontage. This exceeds the threshold established in the Ministerial Guidelines that indicates ribbon development (five or more houses per 250 metres). This conflicts with Development Plan Objective RP 5-24, and national guidance; the council planner made no assessment regarding ribbon development. This is the type of location (a rural area close to Cork city) where ribbon development policies must be most carefully applied to prevent the suburbanisation of the rural hinterland.
- There is a pattern or sequential development on this landholding, contrary to conditions on the parent permission prohibiting such development.
- The development would add to cumulative impacts on the environment and infrastructure, with additional vehicle movements, additional wastewater disposal, additional water extraction, hedgerow fragmentation, and servicing demands (waste collection, utilities, emergency access). While any given dwelling might be acceptable, the cumulative burden creates unsustainable pressure on rural infrastructure. A grant in this instance would create further pressure for more development in the future.
- The council erred as they did not identify any material considerations that would justify a grant of permission, given the presumption against ribbon development under Objective RP 5-24, and did not comply with the restrictions of NPO 19, the Sustainable Rural Housing Guidelines 2005. The council did not sufficiently consider the planning history on the site, and gave inadequate reasons for the grant of permission.
- The council decision should be overturned for the above reasons.

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

7.3. The applicant's agent has responded to the appeal, summarised as follows:

- The County Council has already carried out a comprehensive assessment, and found the development complies with council policies, does not contribute to ribbon development, and that the applicant has a local rural housing need.

- The appellant relies heavily on the precedent of previous refusals, but omits the key precedent of the most recent and relevant case, that of the applicant's brother. The current proposal is identical in planning logic, and the council planner correctly relied on this recent case as the most relevant and up-to-date precedent. It was decided under the current development plan, and is near identical.
- The applicant complies fully with Objective RP 5-4, the objective regarding local housing need. The appellant does not dispute the applicant's eligibility.
- This is not ribbon development – the Sustainable Rural Housing Guidelines 2005 states that Ribbon Development typically occurs where "five or more houses exist on any one side of a given 250 metres of road frontage." The proposal does not have road frontage, and forms part of a cluster. There is no conflict with Objective RP 5-24.
- The most recent Inspector's assessment in case 321247 (the applicant's brother's application) interpreted that the County Development Plan does make provision for "bona-fide applications...even in areas...where a further dwelling will contribute...haphazard pattern." This is the current planning position, and the appellant's assertion that the area 'has no capacity' based on the precedent of a previous refusal is outdated.
- The Area Engineer had no objection to the development, subject to standard conditions. There is no technical basis for refusal.
- The appellant's argument that multiple applications indicate 'sequential development pressure' is not supported by policy, as the Development Plan explicitly allows one-off dwellings on family land. The current proposal is the second dwelling approved in this field since 2001, and the 2001 condition is no longer relevant under the 2022-28 County Development Plan.
- The Planning Authority Decision should be upheld.

7.4. Planning Authority Response

The Planning Authority response dated 13/04/2026 noted they were of the opinion that all the relevant issues have been covered in the technical reports already forwarded to the Commission. They had no further comment to make.

7.5. **Observations**

None received.

7.6. **Further Responses**

None received.

8.0 **Assessment**

8.1. I have examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the local authority, the material submitted with the application, and the planning history. I have inspected the site, and I have had regard to relevant local/regional/national policies and guidance. I consider the substantive issues to be considered as follows:

- Planning history
- Principle of development/rural settlement policy.

8.2. **Planning History**

8.3. The appellant refers to the planning history on the site, including to planning application Ref 01/5976 (which granted permission for the applicant's parents house). This history file was not provided; however, it is a matter of common consent between all parties that that application had a condition limiting the number of houses on the land holding to a single house. The council planner's report notes the passage of time since that development (some 25 years), the subsequent development of Ministerial Guidelines on rural housing in 2005, and the policies and guidelines in force in the current Development Plan to permit assessment. In general terms, it is open to applicants to submit a planning application that would amend the conditions of a previous permission. The application can be considered on its merits, notwithstanding previous conditions.

8.4. Permission has been refused twice on the site (in 2022 and 2024), and permission was granted (to the applicant's brother) on an adjoining site in 2025. The appellant emphasises the precedent set by the refusals, while the applicant's agent states that the proposal is 'identical in planning logic' to the recently granted development, and

that that is the most relevant and up-to-date precedent. These history files are travelling with the current appeal; however, the development must be considered on its own merits, taking into account any changes in policy or the environment in the interim.

8.5. **Principle of development/rural settlement policy**

- 8.6. The site is located within a 'Rural Area Under Strong Urban Influence' and I note that the Council Planner concluded that the Applicant demonstrated compliance with objective RP5-4 of the CDP. I note that this objective states that applicants must satisfy the Planning Authority that their proposal constitutes a genuine rural generated housing need based on their social and/or economic links to a particular local rural area, and must demonstrate that they comply with one of five categories of housing need. One of these categories (d) is *Persons who have spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation*. The applicant submitted details that they lived in the neighbouring townland before moving to Coolkirky in 2002 (corresponding with the grant of permission on the family home). He states that he does not currently own, nor has he ever owned any residential property, and has never received planning permission for or built a dwelling in a rural area.
- 8.7. The applicant complies with category d of rural housing need. I note a previous Inspector's Report noted that the applicant's housing need might be equally well met within the settlement boundary of nearby settlements including Riverstick, (and I note Objective RP 5-2 is to encourage a mix of house types in towns and villages to provide an alternative to individual rural housing in the countryside). While this may well be the case, this is not the standard set by the Development Plan. As a person with a housing need who has lived in the local rural area for over seven years, his application can be considered on its merits. However, as noted in *Section 5.6 Environmental and Site Suitability Requirements*, regardless of an individual's compliance with criteria regarding local housing needs, all planning applications have to be tested against a range of site-specific planning and sustainable development criteria.

- 8.8. Regarding the issue of ribbon development, this area is not one with a development pattern strongly characterised by ribbon development. The Ministerial Guidelines do not provide a definition for ribbon development as such, but note that areas characterised by ribbon development are typically on the edges of cities and towns, and have a high density of near-continuous road frontage type development, for example, 5 or more houses on any given side of a 250-metre stretch of road. The Development Plan states that ribbon development is formed by the development of a row of houses along a rural road outside of settlement boundaries, with the same numerical figure of 5 house per 250 metres. This area is not on the edge of a city or town, and the housing does not have the kind of consistent linear pattern indicated by the term ribbon development.
- 8.9. The townland of Coolkirky is bordered by the River Stick on three sides, and has one road running through it, the L6490, which gives access to some 22 houses and four farmyards. To the immediate west of the site, there are three bungalows, one behind the other, at right angles to the road, each with its own vehicular entrance. A farm track leads to a fourth house further south. The proposed house would be located to the rear of the permitted house, with driveway leading from the permitted site entrance. As such, it has certain characteristics of ribbon development (there are six domestic entrances within 220 metres), but it does not constitute a row of houses, but a more haphazard arrangement with a greater land take due to backlands development. While the use of the permitted site entrance would preclude traffic hazard (one of the risks of ribbon development), it has no impact on the issue of creating an excessive density of haphazard rural housing and the loss of agricultural lands . As noted in the previous inspector's report on the same site, the provision of an 80-metre driveway providing access to the back of the field would lend itself to further subdivision of the site.
- 8.10. The council planner states that there is a scattered pattern of development in this area, and notes it as a rising cause of concern.
- 8.11. Both the council planner and the applicant refer to the recent grant of permission on the adjoining site, where the inspector accepted that that development would to some degree contribute to and consolidate a trend towards the establishment of an excessive density of haphazard rural housing, but noted that the development plan

made provision for bona fide applications, and that the control of rural housing is guided by an assessment of need based on stated criteria.

- 8.12. I do not share this interpretation of the Development Plan. The Development sets out criteria for individuals for rural housing need, and also, separately, sets out criteria for suitable sites. As noted at Section 5.6 Environmental and Site Suitability Requirements, *“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.”* Regardless of the bona fides of the applicant, the application must be assessed against these listed criteria (noted above under planning policy). The first of these criteria is *how the proposal relates to the overall strategy, policies, and objectives of the County Development Plan*; the second is 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*.
- 8.13. On the whole, I consider that the proposal would give rise to an excessive concentration of development in this unserved rural area, exacerbating and consolidating a pattern of haphazard rural housing, which would lead to increased demands for the uneconomic provision of public services and facilities. I recommend a refusal.

9.0 AA Screening

- 9.1.1. I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The proposed development comprises a house and wastewater treatment system.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows

- Distance from nearest European sites, and the nature of those sites and their qualifying interests
- Lack of pathways, direct or indirect
- Limited scale of the development

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.

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

10.0 Water Framework Directive

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

10.1.2. The reason for this conclusion is as follows:

- The modest scale and nature of the development
- The lack of direct connections to any water body.

11.0 Recommendation

11.1. I recommend permission be refused.

12.0 Reasons and Considerations

Having regard to the pattern of development within the immediate vicinity of the site, the location of the site in an area under strong urban pressure, and the criteria for

assessment set out in Section 5.6.3 of the Development Plan, it is considered that the proposed development would give rise to an excessive concentration of development of haphazard rural housing in an unzoned rural area which would lead to an erosion of the rural and landscape character of the area and which would lead to increased demand for the uneconomic provision of public services and facilities, where these are neither available nor proposed in the Cork County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Natalie de Róiste

Planning Inspector

23 June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500962-KY-26
Proposed Development Summary	House and wwtp
Development Address	Coolkirky, Riverstick, 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.	State the Class here
☒ 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	State the Class and state the relevant threshold
☒ 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)	House – more than 500 units
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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500962-KY-26
Proposed Development Summary	House and wwtp
Development Address	Coolkirky, Riverstick, Co. Cork.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project, 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. Subject to adequate waste water treatment, 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,	The development is situated in a rural area on improved agricultural land which is abundant in the area. The development is removed from sensitive natural habitats and centres of population.

densely populated areas, landscapes, sites of historic, 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).		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, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion		
There is no real likelihood of significant effects on the environment.		EIA is not required.
Likelihood of Significant Effects	Conclusion in respect of EIA	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)