



An
Coimisiún
Pleanála

Inspector's Report PL-501327-CK-26

Development	Construction of 2 houses and associated site works.
Location	Lackabane, Donoughmore, Co. Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	260417
Applicant(s)	E.F.D. Developments Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	E.F.D. Developments Ltd.
Observer(s)	None
Date of Site Inspection	17 th July 2026
Inspector	Irené McCormack

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1.0 Site Location and Description

- 1.1. The appeal site is located in a rural area in the townland of Lackabane, in New Tipperary c. 1km northeast of the centre of Donoughmore. The site is located to the south of New Tipperary, a small crossroad settlement within an identified 50kmph zone.
- 1.2. The site has a stated site area 0.720 hectares. The site forms part of a large development site comprising two newly completed but unoccupied detached dwellings immediately to the west of the site, as well as an already constructed estate road which also serves the two completed dwellings.
- 1.3. The lands rise in a southerly direct away from the settlement core and there is evidence on site of site levels having been altered/fill imported onto site at some stage in the past. The Shournagh River forms part of the northern site boundary.

2.0 Proposed Development

- 2.1. The proposed development comprises:
 - Construction of 2 no. detached 4-bedroom dwelling houses and ancillary site development works at site located at Lackabane, Donoughmore, Co. Cork. The dwellings will be served by individual wastewater treatment systems. Access to the development will be provided via the existing site entrance and access road from public road, as granted under planning reference 24/6459.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By Order dated 16th April 2026, Cork County Council issued notification of a decision to REFUSE permission for the proposed development for the following reason:

The proposed development would be located in a rural area to the northeast of Stuake/Donoughmore village. The bulk of the site was located within the development boundary of New Tipperary village nucleus in the Blarney/Macroom Municipal District Local Area Plan 2017 and following the removal of the former village nucleus of New Tipperary from the settlement hierarchy in the Cork County Development Plan 2022, the site is now located in a rural area subject to the settlement policy restriction. The site is located within an area identified as a Rural Area under Strong Urban Influence,

where it is an objective that applicants shall satisfy the Planning Authority that a proposal for a single dwelling constitutes a genuine rural generated housing need as set out in objective RP 5-4 of the Cork County Development Plan 2022. In light of the above and having regard to the current settlement policy, it is the view of the Planning Authority that the proposed 2 no. detached 4-bedroom dwelling houses and ancillary site development works, including individual wastewater treatment systems, would not conform with the settlement policy for such a rural area and would not conform with the settlement policy approach for multiple units, which should take place in settlements designated for growth. The proposed development would, therefore, contravene materially the stated objective of the Cork County Development Plan 2022, would seriously injure the amenities of property in the vicinity, and would be contrary to the proper planning and sustainable planning of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Area Planner's report dated 15/04/2026 sets out that the site is located in the townland of the townland of Lackabane, to the northeast of Stuake/Donoughmore village. Under the Blarney/Macroom Municipal District Local Area Plan 2017, it appears that the bulk of the site was located within the development boundary of New Tipperary village nucleus, prior to being removed from the settlement hierarchy in the Cork County Development Plan 2022.
- The report notes that Cork County Development Plan 2022 Objective RP 5-1 seeks to discourage urban-generated housing in rural areas and that the site is located in an area identified as a Rural Area Under Strong Urban Influence which is subject to the settlement policy restriction set out in Objective RP 5-4 of the current Development Plan. No information was submitted with regard to the demonstration of local rural housing. The recent planning history noted including that the application has failed to address the reason for refusal under 24/6459 and as such refusal recommended as per split decision made under Ref. 24/6459.
- The Senior Executive Planner's report concurred with the recommendation of the Area Planner to refuse.

3.2.2. Other Technical Reports

Area Engineer – Recommends the applicant clarify their engagement with Uisce

Éireann by submitting a pre-Connection Enquiry (PCE) to assess feasibility of connection to the public water / wastewater infrastructure. The Area Engineer has stated that the outcome of the PCE shall be submitted to the Planning Authority. Estates have also recommended that further information is required regarding a Confirmation of Feasibility letter from Uisce Éireann in relation to the new connections to the public watermain.

Estates – Recommends a deferral regarding potable water supply, surface water attenuation, further details on pipe work, attenuation tanks and headwall outfalls, road surface finish and taking in charge.

Public Lighting - No objection to a grant of permission subject to conditions.

3.3. **Prescribed Bodies**

Uisce Eireann - Further information required regarding the feasibility of connection to the public water infrastructure.

3.4. **Third Party Observations**

None

4.0 **Planning History**

CCC Reg. Ref. 24/6459: Split decision.

E.F.D. Developments Ltd. **granted permission for retention and completion of 2 no. dwelling houses (site no. 1 & site no. 2)** and alterations to the internal access road and all associated site development works, currently under construction (change of plan from that permitted under planning reference 19/6677). All dwellings to be served by individual wastewater treatment systems.

E.F.D. Developments Ltd. **refused permission for the construction of 2 no. dwelling houses (site no. 3 & site no. 4)** with a change of site layout plan from that permitted under planning reference 19/6677. All dwellings to be served by individual wastewater treatment systems. The development will comprise a decrease in density, from 5 no. detached 4-bedroom dwelling houses, as permitted under 19/6677, to 4 no. detached 4-bedroom dwelling houses. Access to the development will be provided.

CCC Reg. Ref. 20/5474: E.F.D. Developments Ltd. refused permission for the construction of 2 no. detached dwellinghouses to be served by individual wastewater

treatment systems and soil polishing filters, and all associated site works, to be serviced by site entrance, access road and site services as permitted under Planning Reference 19/6677.

Refusal reasons in brief:

1. Contrary to the character of the settlement.
2. Outside of settlement and would encroach into the countryside.
3. Development would encroach on lands which have been identified as public open space serving the previously permitted development.

CCC Reg. Ref. 19/6677: Permission granted to E.F.D. Developments Ltd. for a residential development consisting of 5 no. detached dwelling houses.

5.0 Policy Context

5.1 Development Plan

5.1.1. Local

Cork County Development Plan 2022-2028

In terms of settlement policy, the site is located within Rural Area under Strong Urban Influence in the Cork County Development Plan 2022-2028, which is described as one which is within easy commuting distance of Cork City. It is stated (Section 5.4.4) that 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.

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

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 area where they work and in which they propose to build a first home for their permanent occupation.

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

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

- Section 5.6.3 states that the planning and sustainable development criteria, against which an application is assessed, would include:
 - Whether the siting, design and scale of the proposal is appropriate to the surroundings;
 - Whether the siting, design and scale of the proposal is appropriate to the surroundings (See Chapters 14, 15 and 16);
 - Whether the proposal involves excessive site excavation or mounding;
 - Whether the site is in an exposed or visually sensitive location
 - 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 there are any sewage disposal, drainage, water supply or other environmental concerns;
 - Whether the proposal would unduly affect other properties in the area;
- Section 5.6.5 sets out that those intending to build houses in rural areas are advised to consult the Cork Rural Design Guide for advice on site choice, design, and landscaping at an early stage in their preparations.
- The site is located in Landscape Character Type 10b: Fissured Fertile Middleground (Rylane east to Waterford). A medium value landscape of high sensitivity at a County level.
- 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 treatment.
- Section 4.9 - Approach to Cork County's Settlement Hierarchy.
 - Objective HOU 4-7 sets out the new density categories in the Plan and Table 4.1 sets out the new tiered density approach recommended to respond to the diverse settlement scales within the County's hierarchy.

Other Relevant Objectives:

- PL 3-5: Rural Placemaking
- RP 5-22: Design and Landscaping of New Dwelling Houses and Replacement Dwellings in Rural Areas
- RP 5-23: Servicing Single Houses (and ancillary development) in Rural Areas
- RP 5-24: Ribbon Development
- RP 5-25: Occupancy Conditions
- WM 11-5: Discharges in Unsewered Areas
- WM 11-10: Surface Water, SuDS and Water Sensitive Urban Design
- Section 11.11.28 relates to Flood Resilient Design
 - WM 11-15: Flood Risk Assessments
 - WM 11-16: Flood Risks – Overall Approach
 - WM 11-17: Development in Flood Risk Areas
- TM 12-8: Traffic/Mobility Management and Road Safety
- GI 14-9: Landscape
- GI 14-10 Draft Landscape Strategy
- BE 15-6: Biodiversity and New Development

APPENDIX I -Settlements which are no longer part of the Settlement Network

Name of Settlement	Municipal District 2022	Municipal District LAP in 2017	Settlement Type in 2017 LAP	Development Boundary in 2017 LAP?
New Tipperary	Macroom	Blarney Macroom	Village Nucleus	Yes

5.2. Other Guidance

5.2.1. National Planning Framework National (2025)

National Policy Objective 24 -Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas

that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

National Policy Objective 28 seeks to 'Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment and elsewhere makes a distinction between areas under urban influence and elsewhere:

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.'

5.2.2. Sustainable Rural Housing Guidelines for Planning Authorities

These guidelines differentiate between urban generated housing and rural generated housing and directs urban generated housing to town and cities and lands zoned for such development. Urban generated housing has been identified as development which is haphazard and piecemeal land gives rise to much greater public infrastructure costs. Rural generated housing includes sons and daughters of families living in rural areas and having grown up in the area and are perhaps seeking to build their first home near their family place of residence. Appendix 4 sets out that these 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.

5.3. Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European Site. The closest Natura 2000 site is the Blackwater River (Cork/Waterford) SAC (Site Code 002170) located c.9kms to the northwest and c.11.4km northeast of the site.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment, please refer to Appendix 1: Form 1 and Form 2 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

The grounds of appeal can be summarised as follows:

- Noting that the location of the lands within a *Rural Area Under Stronge Urban Influence*, it is argued when the lands were de-zoned from village nucleus status (Blarney Macroom Municipal District LAP 2017) the planning application 19/6677 was still active and operative. The de-zoning did not take into consideration the permitted residential development at the time when the parent application was not yet expired.
- The proposed two dwellings would constitute the sustainable and progressive extension of an integrated connected settlement.
- The development currently consists of 2 no. units and the development of 2 additional units is below the 5 units permitted under 19/6677 and the resultant density can be classified as medium C density as per the Settlement Density Policy for Residentially Zoned Land as per HOU 4-7 of the CDP (the appeal refers to HOU 4-t, HOU 4-7 relates to Housing Density).
- The scale of development would respect the pattern and grain of existing scheme and encourage compact growth.
- It is further argued that the design and siting of the proposed dwellings would be consistent with those permitted under 24/06459 and would not result in any adverse visual impact beyond those of the development permitted under 24/06459 nor will the development result in detrimental impacts on residential

amenities. Adequate open public open space has been provided within the scheme in line with the CDP and Compact Settlement Guidelines, 2024.

- The site is adequately served by available infrastructure including roads, footpath and services. No additional capital investment is required to serve the subject site.

7.2. Planning Authority Response

A response was received on 8th June 2026. The response notes:

- Since the adoption of the CCDP 2022 New Tipperary is no longer defined as a settlement.
- Reference is made to Proposed Variation No. 1 of the CCDP 2022-2028. It is set out that under the proposed variation it is not proposed to zone the site or to include it inside a settlement boundary.
- The response highlights a submission on the variation relating to the site and it is set out that the Chief Executive in her reports recommended no change is proposed with regard to the policy designation of the subject site.
- The rural housing objectives of the CCDP 2022-2028 remain applicable.

7.3. Observations

None

8.0 Assessment

- 8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issue in this case to be:

- Compliance with Housing Need Objective (reason for refusal)

8.2. Compliance with Housing Need Objective (reason for refusal)

- 8.3. The PA recommended a refusal of planning permission for one no. reason relating to housing need requirements.

- 8.3.1. By way of context for the Commission the proposed development comprises the construction of 2 no. detached 4-bedroom dwelling houses and ancillary site

development works inclusive of individual wastewater treatment systems to the south of New Tipperary. Access to the development will be provided via the existing site entrance and access road from the public road, as granted under planning reference CCC 24/6459 (I refer the Commission to section 4.0 above). The site forms part of a large development site comprising two newly completed but unoccupied detached dwellings immediately to the west of the site, as well as the already constructed estate road and footpaths which also serve the two completed dwellings.

8.3.2. Appendix I of the CCDP 2022-2028 sets out a list of settlements which are 'no longer part of the 'Settlement Network of the County Development Plan', New Tipperary is on this list. In terms of settlement strategy, the appeal site is located within an area identified in the Cork County Development Plan 2022-2028 as a *Rural Area under Strong Urban Influence and Town Greenbelts*. Objective RP 5-4: *Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1)* establishes that applicants must satisfy the Planning Authority that their proposal constitutes a genuine rural generated housing need based on their social and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need, in brief:

(a) Farmers, their sons and daughters

(b) Persons taking over the ownership and running of a farm

(c) Other persons working full-time in farming, forestry, inland waterway or marine related occupations, for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.

(d) Persons who have spent a substantial period of their lives (i.e. over seven years

(e) Returning emigrants who spent a substantial period of their lives (i.e. over seven years).

8.3.3. No documentation relating to housing need accompanied the application. The first party argue that the site was originally located within the defined village nucleus of New Tipperary (Blarney Macroom Municipal District LAP 2017) and when de-zoned under the current CCDP 2022-2028 the planning application CCC 19/6677 - permission for a residential development consisting of 5 no. detached dwelling houses, was still active and operative. The first party set out that the de-zoning did not take

into consideration the permitted residential development at the time when the parent application had not yet expired.

- 8.3.4. The Commission will note that the zoning of land is reserved function and not a matter for the Commission. In any case CCC 19/6677 was granted on 17th February 2020 for a period of five years and the settlement policy changes made as part of the CCDP 2022-2028 would not have revoked this permission. The failure of the applicant to complete the permission within the application time limits, which I consider reasonable, is matter for the applicant and not the PA and as such I do not consider the settlement policy changes made as part of the current application precluded the applicant from completing CCC 19/6677 within the 5 year lifespan of the permission.
- 8.3.5. Any previous settlement strategy has been superseded by the current Cork County Development Plan 2022-2028; this is the applicable plan for the area and as such any new planning application must comply with the associated policies and objectives including the need to establish housing need in accordance with the settlement strategy. As set out the applicant has not submitted any documentation to establish any housing need in accordance with objective RP 5-4 and while the applicant has set out arguments to justify the development of housing at this location including the established pattern of development and the proximity to the settlement and while the Core Strategy is formulated to deliver sustainable settlement growth patterns, there is no provision in the CCDP 2022-2028 to provide for an expansion of the settlement of New Tipperary (which in accordance with Appendix I of the CCDP 2022-2028 is 'no longer part of the Settlement Network of the County Development Plan') nor the completion of the development that would circumvent the settlement policy objectives in this instance.
- 8.3.6. Therefore, on the basis of the evidence submitted, I agree with the PA that the proposed development would be located in a rural area identified as a Rural Area under Strong Urban Influence, where it is an objective that applicants shall satisfy that a proposal for a single dwelling constitutes a genuine rural generated housing need as set out in objective RP 5-4 of the Cork County Development Plan 2022-2028. The proposed 2 no. detached 4-bedroom dwelling houses and ancillary site development works, including individual wastewater treatment systems, would not conform with the settlement policy for such a rural area and would not conform with the settlement policy approach for multiple units, which should take place in

settlements designated for growth. The proposed development would, therefore, be contrary to objective RP 5-4 of the Cork County Development Plan 2022 and the proper planning and sustainable development of the area. Permission should be refused for this reason.

9.0 AA Screening

9.1. See completed screening determination form in Appendix 3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site, namely Castlemaine Harbour SAC, and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. 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 indirect connections to the European sites
- Taking into account screening determination by the Local Authority

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

10.0 Water Framework Directive

10.1. The Shournagh River waterbody (SHOURNAGH_010, IE_SW_19S010100) (good water status) forms part of the northern site boundary, the groundwater body is Ballinhassig East IE_SW_G_004 (good water body status). I refer the Commission to Appendix 4 of this report.

10.2. The proposed development comprises construction of two no. dwelling houses.

10.3. I have assessed the proposed dwelling 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 including the disposal of effluent via an on-site wastewater treatment system in accordance with EPA standards and the implementation of SUDs measures on site (I am satisfied that the outstanding issues raised by the Estates Section can be address by way of condition in the event the Commission is minded to grant planning permission) and, 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. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development.
- Surface water disposal measures and indirect hydrological connections.

10.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

It is recommended that the proposed development is refused for the reasons and considerations as set out below.

12.0 Reasons and Considerations

1. The site is located within an area identified as a Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1), where it is an objective that applicants satisfy the that a proposal for a dwelling constitutes a genuine rural generated housing need as set out in objective RP 5-4 of the Cork County Development Plan 2022-2028. The proposed development, which does not cater for locally derived housing needs, would conflict with the policies of the Development Plan and would 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

Irené McCormack

Senior Planning Inspector

4th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501327-CK-26
Proposed Development Summary	Construction of 2 houses and associated site works.
Development Address	Lackabane, Donoughmore, Co. Cork
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10 (b) (i) >500 dwellings

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Form 2 - EIA Preliminary Examination

Case Reference	PL-501327-CK-26
Proposed Development Summary	Construction of 2 houses and associated site works.
Development Address	Lackabane, Donoughmore, Co. Cork
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The nature and size of the development (2 residential unit) is not exceptional in the context of the existing environment. The proposed development will not result in the productions of any significant waste, emissions or pollutants. Localised construction impacts will be temporary. The development, by virtue of its type(residential), does not pose a risk of major accident and/or disaster. The increased height and scale are not considered to result in significant environmental effects. No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative environmental effects with the subject project.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g., wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The site is located in a medium value landscape of high sensitivity at a County level The development would be consistent with the immediately adjoining pattern of development and additional landscaping incorporated. There would be no significant impact on any protected areas, protected views, built or natural heritage or European Sites.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Appendix 2: Standard AA Screening Determination

Screening for Appropriate Assessment Test for likely significant effects	
Case Reference Number: PL-501327-CK-26	
Step 1: Description of the project and local site characteristics	
Brief description of project	Permission for the construction of construction of 2 houses and associated site works. A screening report for Appropriate Assessment was not submitted with this planning appeal case. However, in the Local Authority assessment of the proposed development, determined that the site is not located in or adjacent any Natura 2000 site, nor is it located within the extents of any screening zone associated with any protected European site. Therefore, given the nature and scale of the proposed development and the site's remove from any protected site and the lack of any direct hydrological connection with any protected site, screening for Appropriate Assessment is not required in this instance.
Brief description of development site characteristics and potential impact mechanisms	The proposed development is not located within or immediately adjacent to any European Site. The Shournagh River forms part of the northern site boundary. Part of the site to the north is identified within Flood Zone A.
Screening report	N
Natura Impact Statement	N
Relevant submissions	N/A
No nature conservation concerns were raised in the appeal.	
Step 2. Identification of relevant European sites using the Source-pathway-receptor model	

The proposed development site is not located within or immediately adjacent to any site designated as a European Site. The closest Natura 2000 site is the Blackwater River (Cork/Waterford) SAC 002170 located c.9kms to the northwest and c.11.4km northeast of the site.

The Shournagh River has two main tributaries; the Blarney River and the Owennagearagh River and joins the River Lee downstream of Ballincollig near Leemount Bridge. The River Lee discharges into the Cork Harbour Special Protection Area (004030). Cork Harbour is located ca. 25km southeast of the site.

The River Blackwater is one of the largest rivers in Ireland, draining a major part of Co. Cork and five ranges of mountains. In times of heavy rainfall, the levels can fluctuate widely by more than 12 feet on the gauge at Careysville. The peaty nature of the terrain in the upper reaches and of some of the tributaries gives the water a pronounced dark colour. The site consists of the freshwater stretches of the River Blackwater as far upstream as Ballydesmond, the tidal stretches as far as Youghal Harbour and many tributaries, the larger of which include the Licky, Bride, Flesk, Chimneyfield, Finisk, Araglin, Awbeg (Buttevant), Clyda, Glen, Allow, Dalua, Brogeen, Rathcool, Finnow, Owentaraglin and Awnaskirtaun. The portions of the Blackwater and its tributaries that fall within this SAC flow through the counties of Kerry, Cork, Limerick, Tipperary and Waterford.

Given the limited scale of the proposal and the dilution effect, I do not consider it necessary to examine the potential for significant effects on any European Sites beyond those of Blackwater River (Cork/Waterford) SAC 002170.

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Blackwater River (Cork/Waterford) SAC	Habitats: [1130] Estuaries [1140] Tidal Mudflats and Sandflats [1220] Perennial Vegetation of Stony Banks [1310] Salicornia Mud	9kms to the northwest and c.11.4km northeast of the site	Indirect via surface water discharge	N

	[1330] Atlantic Salt Meadows [1410] Mediterranean Salt Meadows [3260] Floating River Vegetation [91A0] Old Oak Woodlands [91E0] Alluvial Forests* [1029] Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) [1092] White-clawed Crayfish (<i>Austropotamobius pallipes</i>) [1095] Sea Lamprey (<i>Petromyzon marinus</i>) [1096] Brook Lamprey (<i>Lampetra planeri</i>) [1099] River Lamprey (<i>Lampetra fluviatilis</i>) [1103] Twaite Shad (<i>Alosa fallax</i>) [1106] Atlantic Salmon (<i>Salmo salar</i>) [1355] Otter (<i>Lutra lutra</i>) [1421] Killarney Fern (<i>Trichomanes speciosum</i>)			
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

The site is located downstream of the SAC and due to the nature of the development site and the presence of a buffer area between the site and the Shournagh River, I consider that the proposed development would not be expected to generate impacts that could affect anything but the

immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors.

The proposed development having regard to the separation distance at 9km and 11kms respectively would not have direct impacts on any European site. During site clearance and construction of the proposed development and site works, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water.

The contained nature of the site and distance from receiving features connected to Blackwater River (Cork/Waterford) SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

Likely significant effects on the European site(s) in view of the conservation objectives set out for the qualifying features including:

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the SAC. Due to distance and location downstream of the waterbody 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 including otter during construction or operation of the proposed development.

In combination effects

Having reviewed Cork County Council and An Coimisiún Pleanála's online mapping systems, I do not consider that there are any projects, which could have the potential to have significant in combination effects on a European Site when considered alongside the proposed development. Similarly, I am not aware of any plans that could have the potential to have in-combination effects on a European Site when considered alongside the proposed development.

Step 4: Conclude if the proposed development could result in likely significant effects on a European site

Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development would not result in likely significant effects on any European Site and is therefore excluded from further consideration. Appropriate Assessment is not 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 indirect connections to the European sites
- Taking into account screening determination by the Local Authority

No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

Appendix 3 - Water Framework Directive Screening Determination

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	PL-501327-CK-26	Townland, address	Lackabane, Donoughmore, Co. Cork
Description of project		Permission for the construction of construction of 2 houses and associated site works.	
Brief site description, relevant to WFD Screening		The Shournagh River forms part of the northern site boundary. Part of the site to the north is identified within Flood Zone A.	
Proposed surface water details		In terms of surface water management, soakpits are proposed for both dwellings and the remaining surface runoff is proposed to be disposed to the adjacent river via oil bypass and silt interceptors, and attenuation tanks. In this regard, the Commission will note that the report on file from CCC Estates section which recommends further information be sought regarding consideration of the provision of a reinforced concrete attenuation tank due to the topography of the site at the proposed attenuation location, as well as cross sections and long section drawings to be provided to identify the invert levels of the pipe network, attenuation tanks and headwall outfalls.	
Proposed water supply source & available capacity		Connection to the public network identified.	

Proposed wastewater treatment system & available capacity, other issues	Individual wastewater treatment systems to EPA requirements. The PA raised no concerns in this regard.
Others?	A Site Specific Flood Risk Assessment (SSFRA) accompanied the application. This SSFRA was prepared in 2019 for planning Reg. Ref. 19/6677. The PA were satisfied that the SSFRA remain valid. I note the baseline environment has not altered significantly since the report was prepared and the report was prepared in accordance with the Flood Risk Management Guidelines 2009. I further note that a review of www.floodinfor.ie on 13/7/2026 indicated no historical flooding at this location. The report states that the Shournagh River and its tributaries, are located within the Lee Catchment (CFRAM) Study (UoM) 19. The Shournagh River flows eastwards through New Tipperary. The Shournagh River is the primary watercourse draining the north of the Lee Catchment. The primary source of potential flooding is fluvial flooding, which would come from the River Shournagh adjoining the site to the north. Potential sources of secondary flood risk on site are (i) pluvial flooding, and (ii) flooding from drainage systems and (iii) groundwater flooding. The measured W_{fpa} indicates that the nature of the existing river channel is capable of dealing with fluctuating water levels. However, a number of measures have been identified to reduce/eliminate potential flooding. The report includes a number of recommendations, in brief:

	○ The proposed finished floor levels of the dwellings range between 97.00m and 99.85m (~4.7-7.5m above the natural riverbed). The Commission will note that the proposed dwellings have FFL 142.237 and FFL141.615 respectively . ○ There is a natural ditch is present along the northern site boundary with the River. Shournagh. The ditch is low lying to the northwest of the site. It is proposed to provide a raised natural clay-based soil bund in areas where the natural ditch is low lying. This will further reduce any risk of future flooding of the site. ○ It is suggested that excessive vegetation is cleared along the banks of the river, thus increasing the conveyance capacity to carry flood waters during a surge event. Culverts and drains should also be kept clear to reduce the risk of flooding on site.					
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)

River Waterbody	Northern site boundary	SHOURNAG H_010 IE_SW_19S01 0100	Good	Not at Risk	No pressures	Surface water run-off.
Groundwater body	Underlying Site	Ballinhassig East IE_SW_G_004	Good	Not at Risk	No pressures	Underlain by old red sandstone, sandstone, conglomerate & mudstone.

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Clearance works/	SHOURNAGH_010	Indirect pathway exists	Siltation, pH (Concrete),	Standard constructio	No	Screened out

	Construction	IE_SW_19S 010100)		hydrocarbon spillages	n practices/co nditions		
OPERATIONAL PHASE							
2.	Surface water run- off	SHOURNA GH_010 IE_SW_19S 010100)	No direct pathway exists.	None	Standard constructio n practices/co nditions	No	Screened out
4.	Discharges to ground	Ballinhassig East IE_SW_G_ 004	Surface water disposal	None	SUDs features	No	Screened out
DECOMMISSIONING PHASE							
5.	NA	NA	NA	NA	NA	NA	NA