



An
Bord
Pleanála

Inspector's Report

320254-24

Development	Construction of a boathouse with associated site works.
Location	Dunmanus West, Goleen, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	24243
Applicant(s)	Simon and Chantal Thomas
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	John Paul Healy
Observer(s)	None
Date of Site Inspection	13 th February 2025
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The site as outlined straddles both sides of the coastal route L4403 on the southern shore of Dunmanus Harbour. It is a highly scenic area where the ruins of Dunmanus Castle located c.50m to the east dominate the built landscape in this panoramic coastal setting. The coastal side of the site to the north extends some 75m along the road frontage and follows the rugged shoreline over a similar span. It is roughly C-shaped with two promontory features and intervening rocky and clay coastline and is bound by a small beach to the east to which there is a trail through the hedges. The site otherwise comprises a narrow grass strip extending into the promontories and with boundary hedges along the road and beach. There is a small timber pedestrian gate opposite the vehicular dwelling entrance to the south. The house appears to date from 19th century and together with stone buildings to the east and west (not part of the site) forms a cluster of buildings denoting a small historic settlement in the area. To the east of the site about 500m, there is a small pier with car parking alongside a stone cottage with a mono pitched stone outbuilding on the coast side.
- 1.2. Site inspection was during low tide and photographs were taken from west of the site and within in addition to observing the scenic route in the vicinity of the development site.

2.0 Proposed Development

- 2.1. Permission is sought to construct a boathouse of 58.5sqm with external dimensions of 9m x 6.5m. It is a simple rectangular design with a mono pitched roof and finished with stone facing, timber doors and traditional green steel-clad roof. Ridge height is 4.345m at the road side and slopes to an eaves height of 2.4m on the sea side. It is positioned at a few metres set back alongside the hedge where natural vegetation is retained and ground is lower than the road. The section drawing shows the floor level slightly below the existing ground at finished levels of 5.032- 5.362m OD which steps down from the road level of 6.538mOD.
- 2.2. The site layout plan shows a proposed water pipe and electricity line from the road edge to the structure. Hardstanding is indicated to the west of the shed.
- 2.3. A cover letter explains how the applicants have owned the house for 24 years and use the subject site for boats/wind surfs and such like. The proposed boat house is

ancillary to the house and intended to store this equipment that has been stored outside for many years. No vehicular access is proposed. It is stated to be consistent with surrounding outbuildings in form and finish.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to 8 conditions:

3.2. Conditions

- 3.2.1. The following conditions are particular to the nature of the proposal and concerns regarding heritage and traffic at this location. Condition 2 restricts subdivision. Conditions 3 and 4 relate to the external finishes due to visual context and report of the county archaeologist. Conditions 6,7 and 9 seek to restrict and regulate traffic generated by the development.

3.3. Planning Authority Reports

3.3.1. Planning Report

The recreational use as an ancillary use to the dwelling is accepted.

The background to the localised rock armouring is noted based on the area engineer's comments that works were done to prevent erosion close to the roadway around 6 years ago as part of road improvement works. No loss of amenity is anticipated based on the continued use of the site for boating. The size of the boat house at 44sq.m. and absence of slip requiring man handling of boats/kayaks underlines the small scale. The visual benefits of storing equipment at this location are acknowledged.

The internal reports are noted. Architecture Impact Statement is not considered necessary.

3.3.2. Other Technical Reports

- Conservation Office: Concerning Dunmanus Castle as a protected structure (RPS 775) and as an SMR and as described in detail, by reference to CDP

Objective 16-14 Protected structures and HE 16-21 Design and Landscaping of New Buildings, there are no significant concerns relating to footprint and original fabric. Views from the western approach are the most obvious but overall the vernacular style and setting and finishes are considered to blend well subject to being well executed. It is recommended that an experienced stone mason be employed for the stone facing. [This condition was not carried forward in Order.] There are no concerns regarding the rock armouring as an extant shoreline reinforcement.

- County Archaeologist: By reference to 12 archaeology related CDP objectives as cited and noting the Conservation officer report, there are no concerns about design or proximity to the Castle in terms of disturbance. No subsurface archaeology likely given nature of development. No further assessment or conditions required.
- Area engineer: No objection subject to conditions.

3.4. Prescribed Bodies

No reports received.

3.5. Third Party Observations

One letter objects on grounds of traffic safety, impact on landscape and scenic route, proximity to Castle, wastewater disposal, overlooking of private beach, precedence for developing between road and sea and site selection.

4.0 Planning History

- 4.1.1. PA refs 11/25 and 12/176 refer to permission for extension to the existing dwelling.

5.0 Policy Context

5.1. Cork County Development Plan 2022-2028

Volume 1

- 5.1.1. **Coastal Management** policies and objectives are contained in chapter 7.

- MCI 7-2: Development in Coastal Areas (a) Sustainably manage development within the coastal zone taking account of its environmental, ecological, heritage and landscape values (b) Encourage development generally to be located in accordance with the settlement policies of this Plan and in particular to recognise the limited capacity of many coastal areas for accommodating development on a large scale

5.1.2. **Landscape** – Chapter 14 Green Infrastructure and Recreation which contains specific policies for managing areas designated as a High Value Landscape or part of a Scenic routes – both of which apply to the site.

Section 14.8.5 in Vol 1 defines High sensitivity landscapes as vulnerable landscapes with the ability to accommodate limited development pressure. In this rank landscape quality is at a high level, landscape elements are highly sensitive to certain types of change.

- **CDP Objective GI14-9 landscape**

- a) protect visual and scenic amenities of County Cork's built and natural environment
- b) landscape issues would be an important factor in all land-use proposals ensuring proactive view of development is undertaken while protecting the environment and heritage generally in line with the principles 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 historical walls or other distinctive nature treatments.

- **Objective GI 14-10** ensure management of development has regard for the value of the landscape its character distinctiveness and to sensitivity... in order to minimize the visual and environmental impact of development particularly in areas designated as high value landscapes or higher development standards layout design landscaping materials will be required. New paragraph
- **Objective GI 14-12** general views of prospects general views and prospects of sea views rivers and lakes un-spoilt mountains upland or coastal landscape historical and cultural significance and views of natural beauty to be preserved

- **Objective GI 14-13 scenic routes:** protect the character of those views on prospects obtained world from scenic roads and in particular stretches of scenic grids that are very special views and prospects.
- **Objective GI 14-14 development on scenic routes:** (a) Require those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area.

5.1.3. **Heritage Tourism: chapter 10 refers.**

- **Objective TO 10-5: Protection of Natural, Built and Cultural Features:** Protect and conserve those natural, built, and cultural heritage features that form the resources on which the County's tourist industry is based. These features will include areas of important landscape, coastal scenery, areas of important wildlife interest, historic buildings and structures including archaeological sites, cultural sites including battlefields, the Gaeltacht areas, arts and cultural sites, the traditional form and appearance of many built up areas and promote access and interpretation of archaeological sites in State and Local Authority ownership.

5.1.4. **Built and Cultural Heritage: Chapter 16 refers:**

- **Objective HE 16-20: Historic Landscapes** a) Recognise the contribution and importance of historic landscapes and their contribution to the appearance of the countryside, their significance as archaeological, architectural, historical and ecological resources. b) Protect the archaeological, architectural, historic and cultural element of the historic/heritage landscapes of the County of Cork. c) All new development within historic landscapes should be assessed in accordance with and giving due regard to Cork County Councils 'Guidance Notes for the Appraisal of Historic Gardens, Demesnes, Estates and their Settings' or any other relevant guidance notes or documents issued during the lifetime of the Plan.

Volume 2

The site is located along the **designated scenic route S106 described as road between Dunmanus and Lisagriffin..** It is Type 4 Rugged Ridge Landscape of very high landscape value. Dunmanus Castle is a noted structure of Historic or cultural importance visible from the route. Its prevailing character is rural and land use is agricultural. There is a sense of remoteness.

The Castle is included in the Record of Protected Structures. RPS ID 775. It is also in the SMR CO139-015 as a Castle Tower House (Castle in ruins) .

5.2. Natural Heritage Designations

5.2.1. The site is not located within or near any designated site.

6.0 EIA Screening

Having regard to the nature of the proposed development, I have concluded that the proposal is not of a class of development that requires EIA.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The third party grounds of appeal are based on traffic safety and visual amenity. The following points are made in this regard:

- The road is poorly aligned and the existing entrance gate is at a bend in the road with restricted sightlines. Widening of the entrance to provide vehicular access is anticipated consequent on the development.
- The proximity of proposed construction works to the road are of concern and there is no evidence of the required consent.
- The High Value Landscape and scenic route designation support a refusal and this would avoid setting precedent on the seaward side of the road.
- Impact on Dunmanus Castle has not been fully considered.
- The site of the soak pit is bare rock and cannot comply with the BER Design Guide 365 Soakaway Design. The GSI data maps classify the area as Bedrock

Outcrop and Sub crop and Vulnerability as rock at or near surface. It will overflow into beach or foreshore without filtration.

- Impact on amenity of the beach that is enjoyed by locals and tourists by reason of overlooking and loss of privacy.
- The site selection is poor – it would be better within immediate curtilage of the dwelling house on the lands south of public road. As a farmer, the appellant would not put a shed on this side of the road. The boat house is not modest and is an unnecessary feature in an unspoilt coastal landscape and is unwarranted in its capacity as an ancillary facility for second home
- Insufficient consideration has been given to site access, safety, future road alignment and drainage by the engineering division.

7.2. Applicant's Response

7.2.1. The applicant refutes all the points made by the appellant:

- **Traffic** concerns are unfounded as there is no vehicular access proposed. Management of traffic during construction and operation is addressed by condition. Encroachment of the road or future realignment is not an issue having regard to the acceptable of the proposal by the area engineers
- **Visual Impact and heritage:** The proposal has been carefully designed to take account of surroundings. It will remove current outdoor storage. It will enhance visual amenities through modest scale, placement and use of materials. it is described as a functional yet aesthetically pleasing addition aligning with the character of the landscape
- As it is heavily screened it will not have a direct impact on the Castle. The use of materials blends with the stone buildings and historic landscape.
- **Amenity of Public Beach:** It is sited to avoid overlooking which is already prevented by the screen vegetation. It will not significantly enhance activity on site. And will not encroach or detract from the amenity of the public beach.
- **Use:** Precedent is not relevant as the use is already there. The siting is near the water to facilitate ease and safe access. It prevents the carrying of boats across

the road. As an ancillary use it should be assessed on its merits in line with Objective ZU 18-7

- **Drainage:** The proposed soakaway in the northern part of the site will be designed in accordance with BRE Design standards 2016 and in keeping with the planning authority conditions.

The the applicant states in response to the concerns raised regarding sediment located on the subject side by stating that the proposed development has considered the geological conditions of the site particularly the presence of rock near the surface that the proposed soakaway located in the northern part of the site. It is further stated that the boathouse will incorporate a carefully engineered soakaway system designed to manage remove water runoff efficiently while avoiding environmental impact. The applicant is committed to complying with the conditions of the planning authority and ensuring that the proposed pitch is designed and installed according to it BRE design guide.

7.3. Planning Authority Response

- 7.3.1. issues raised have been already considered. Appeal should be dismissed.
- Reiterates small scale and negligible impact. The soakaway is not necessarily in a rocky location and can be addressed Construction work was not an issue in carrying out rock armouring works. Safety objections were not raised by Area Engineer and brief comments on the rock armouring work are included in an attached email.

8.0 Assessment

8.1. Scope of Issues

- 8.1.1. Having reviewed the file and inspected the site I consider the substantive issues relate to:
- Principle of development
 - Visual Impact
 - Drainage
 - Traffic Safety

- Impact beach amenities

8.2. Principle of Development

- 8.2.1. The proposal is for a large shed to store boats in a highly sensitive coastal site within the landholding of a domestic dwelling. Even as an ancillary use, it is subject to assessment on its own merits which requires consideration of the principle in the context of the governing objectives for the area and landscape type.
- 8.2.2. The site is in an unspoilt stretch of coast land in the Dunmanus Harbour, west of Dunmanus Castle where the road is closest to the coast. The nearest structure on this side is a stone cottage with an ancillary stone outhouse alongside the pier about 500m east. The route in this area enjoys extensive uninterrupted coastal and sea views. The site context accordingly is highly sensitive in a policy context being in a High Value Landscape which requires development to comply with objective 16-15. It is also in a designated scenic route which is described in volume 2 of the CDP as being a very high value land landscape and contributory factors I note include the remoteness, Dunmanus Castle and the rugged coastline character. Such features combine to contribute to the rich scenic beauty and cultural heritage that define this coastline as a valuable amenity resource. Protection of the coastal routes as a tourism asset is also underlined by these objectives. This multiplicity of principle features contributing to the character of the area demands a high degree of development control to ensure protection in accordance with the range of objectives in the County Development Plan regarding Green Infrastructure, coastal management, built heritage and tourism as listed in section 5 of this report.
- 8.2.3. I consider given the aforementioned features of the site context and character, the need for the development should be justified in the first instance and from my review of these considerations I am not satisfied that this is the case.
- 8.2.4. In this case there is no direct access into the boat house from the water. Nor is there any obvious slip. It is not a shelter for boats as in a traditional sense of boathouse and is not reliant on being onshore other than the convenience of carrying light craft. It is proposed in a site with poor access for larger craft in terms of there being no

vehicular access for trailers and without obvious slip access to the waters. The pier to the east with parking and a slipway could potentially be an alternative for larger boats needing a trailer. A storage shed for ancillary domestic use of such sporting items would be I consider, in the context of landscape policy, be more appropriately sited within the curtilage of the dwelling house rather than in a separately accessed and bound site in a highly scenic area and lacking services. I therefore would not describe the subject development site on the northern side of the road as being within the curtilage as compared to the dwelling site to the south. The dwelling curtilage in the southern holding appears to have capacity to house a shed. It potentially is only 10-20m from the proposed location which is not a significant distance for light craft which need to be carried anyway to the water. I consider the introduction of a new building in a separate site in terms of access and boundaries would set an undesirable precedent for development in a remote and intact stretch of coastline and detract from the remote landscape character.

- 8.2.5. The argument to house what is scattered on the ground does not warrant the case for a structure. This would set an undesirable precedent for coastal landowners to house their water sports equipment on site. Even if the development was warranted in principle, I would still have reservations about visual impact of the structure and underlying ground conditions to support the nature and extent of development proposed.

8.3. Visual Impact

- 8.3.1. The case for the proposed boathouse is advanced on the basis of the imperceptible presence due to design and materials and sitting alongside a hedgerow and with the backdrop of trees and structures and general topography.
- 8.3.2. Notwithstanding my concerns regarding principle of development, I accept that the design reduces visual intrusion and note the respective assessments by the planning authority in regard to localised impact. This is accommodated by the ground level sloping down from the road and west generally and with differences ranging from 4.8m to 5.2m OD alongside a road with a centre height of 5.88 to 6.54m OD. The proposal at 58.5 sq.m. (9m x 6.5m) and rising to a height of 4.5m is not small for a domestic storage building. As compared to the example of the mono pitched

outbuilding to the east, this is much larger. A 4.5m high structure would still protrude with glimpsed views from the west and from the beach to the east. However, in the particularly sensitive context I have concerns about the scale and site conditions.

8.3.3. In terms of site conditions the appellant, a local farmer in the area refers to the shallow soil and extent of surface rock and difficulties in constructing the boat house. In terms of visual impact this is I consider relevant. The section drawings show a proposed lowering of ground level so as to cut into the site and lower the overall height of the structure and assimilate it with the hedgerow and surrounding landscape features. The minimal topping of height above this was a factor in determining its acceptability by the planning authority. From my inspection it is clear that there is extensive rock underlying the ground in the area. It may be that the immediate localised conditions have sufficient soil, but I am not satisfied that this has been demonstrated. There is no evidence of site investigation work at the proposed location and as to the feasibility of achieving the design. I would have concerns about the potential for excavation into the rock particularly in the absence of a structural engineer's report given the proximity to the road and in an area where rock armouring has been carried out due to erosion and indicating ground stability issues. In this regard I draw attention to the siting of the structure in the order of 2-3m from the top of the bank in the vicinity of the rock armouring and the potential to contribute to a risk of erosion. While I note the planning authority's reference to the engineer's comments and absence of objections in this regard, I am not satisfied that sufficient details have been submitted on file to rule out these concerns.

8.3.4. If the Board is of a mind to grant permission, I consider it not unreasonable to seek a considerable reduction in the scale to at least to something in the order of under 4x 6m and seek a revised design which includes evidence-based section drawings and a structural engineering report.

8.3.5. **Drainage**

8.3.6. In terms of engineering of the site it is not what I would describe as ideal in terms of drainage. I refer on the one hand to the extent of rock outcrop where the soakpit is

proposed and on the other hand, to the vulnerability to erosion as evidenced by the need for rock armouring.

8.3.7. In addition to the stated acceptance by the planning authority, the applicant states in response to the concerns raised regarding sediment located on the subject side by stating that the proposed development has considered the geological conditions of the site particularly the presence of rock near the surface where the proposed soakaway located in the northern part of the site. It is further stated that the engineered system is designed to manage and remove water runoff efficiently while avoiding environmental impact and that the applicant is committed to comply with the conditions of the planning authority in ensuring compliance with relevant design guidance. This however is not substantiated with site specific drawings clearly demonstrating how these standards can be complied with. For example, there are no cross-sectional drawings based on trial hole investigation. As I have stated already, I have concerns about the lack of site-specific feasibility for the mitigation work. I further note the site layout at 1:500 includes a hard standing area and a water pipe (and an electricity connection). While there are no sanitary or kitchen facilities proposed in the layout the provision of water supply and hard standing suggest both a reduced permeable area and, more significantly, an increased loading on any drainage infrastructure. In view of the site sensitivities I consider more details on hard surfaces and run-off are also required as part of the design details.

8.3.8. While ultimately run-off will be dissipated by the sea, the generation of excess run-off or any wastewater would be an issue. If the Board is of a mind to grant permission these matters should be more appropriately addressed by further details.

8.3.9. **Traffic Safety**

8.3.10. The applicant is clear that no vehicular access is proposed and therefore in the absence of such the only source of obstruction would be road side parking potentially generated during the construction phase of the proposed boat house. The planning authority has addressed construction related traffic matters by condition. I do not consider traffic hazard to constitute grounds for refusal.

- 8.3.11. The applicant also makes the case that the storage of the boats and water sports equipment on the coast side of the road is proposed where the equipment is presently stored and avoids the carrying of such across the road and thereby is safer. I do not consider a self generated potential traffic hazard is grounds to justify development. In any event, I note reference to the need for storage during winter months and so pedestrian crossing with equipment would be at low level based on this intended seasonal use. Given the existing nature of the access to the site I do not consider traffic safety is necessarily consequent on the development such that the proposed development could be warranted by reason of improved traffic safety.
- 8.3.12. In conclusion I consider the construction of a boat house that could be provided within the dwelling curtilage to be unwarranted on a site along a scenic route in a landscape area of very high scenic value and permission in this case would set an undesirable precedent for similar development in sensitive coastal locations. Notwithstanding, if the Board was of a mind to grant permission, I am not satisfied that the sufficient information has been provided to demonstrate that the proposed development can be accommodated on the site having regard to the underlying ground conditions. The proposed development would therefore be contrary to the proper planning and development of the area and permission should I consider be refused on this basis.

9.0 AA Screening

- 9.1. I have considered the proposal in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed works are minor in nature and involving a small storage shed for boats and no sanitary services appear to form part of development other than a soak pit for run off. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment as there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- Scale and nature of the development
 - The distance from the nearest European site.
 - The dissipation factor of the receiving coastal waters

I therefore conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Recommendation

10.1. I recommend a decision to refuse permission based on the following reasons and considerations.

11.0 Reasons and Considerations

11.1.1. The proposed development, by reason of scale, height and siting in an intact stretch of coastal land forming part of a designated scenic route and in an area of very high landscape value would detract from the character and amenities of the area that is designated as a 'high value landscape' in the Cork County Development Plan 2022-2028. It is considered therefore that the proposed development would be contrary to objectives GI 14-9, GI14-10, GI 14-12, GI 14-13, and GI14-14 of the county development plan in respect of aiming to protect visual and scenic amenities of Cork's coastal landscape. The proposed development would, therefore, seriously injure the amenities of the area and furthermore, undermine the tourism objective TO 10-5 with regard to protecting such natural assets and 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Suzanne Kehely
Senior Planning Inspector
27th February 2025

Appendix 1 - Form 1

EIA Pre-Screening [EIAR not submitted]

An Bord Pleanála Case Reference		ABP- 320254		
Proposed Development Summary		Boathouse		
Development Address		Goleen, Co.Cork		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)			Yes	
			No	X
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?				
Yes		State the Class here.	Proceed to Q3.	
No	X			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?				
Yes			EIA Mandatory EIAR required	
No	X		Proceed to Q4	
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?				
Yes	Tick/or leave blank		Preliminary examination required (Form 2)	
5. Has Schedule 7A information been submitted?				
No	X	Screening determination remains as above (Q1 to Q4)		
Yes				

Inspector: _____ Date: _____