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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 19/05016**

**APPEAL** by Martin Carney and Stephanie Cadogan of Lissanisky, Cobh, Cork against the decision made on the 29<sup>th</sup> day of October, 2019 by Cork County Council to subject to conditions a permission to Ian O'Mahony and Sinéad Kennedy of White Oats, Killeena, Knockraha, County Cork.

**Proposed Development:** Construction of a dwellinghouse and domestic garage, installation of a bored well, septic tank and percolation area, widening of the existing farm entrance to facilitate the site entrance, the creation of a new farm access and all associated site works at Lisheenroe, Knockraha, County Cork.

**Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

In coming to its decision, the Board had regard to-

- the location of the site within the Cork County Metropolitan Strategic Planning Area, and in a rural area under strong urban influence,
- the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is indicated that it is the policy to distinguish between rural-generated housing need and urban-generated housing need, and
- National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks to 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, having regard to the viability of smaller towns and rural settlements.

On the basis of the documentation submitted in support of the application and the appeal, it is considered that the applicant has failed to demonstrate an established local housing need for a dwelling at this location, in accordance with the development plan policy, and it is also considered that the proposed development would represent urban-generated rural housing, and that the

applicant therefore would not come within the scope of the housing need criteria for a house in the rural countryside within an Area under Strong Urban Influence. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020.**