



Board Direction

Ref: PL04.246209

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 22nd 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. The appeal site is located in a rural area under strong urban influence as identified in the current Cork County Development Plan wherein it the policy of the Council to restrict housing development to certain limited categories of applicants, including persons who are considered to have exceptional health circumstances. Based on the information submitted with the application, and taking into consideration the nature and extent of the existing and previous property in the ownership of the applicants, the Board is not satisfied that the applicants have demonstrated a need to construct a new dwelling at this location and that the applicant's needs cannot be met by alterations or extensions to the existing accommodation. The proposed development would, therefore, contravene materially the objective of the development plan with regard to the provision of sustainable rural housing and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the soil conditions, the proximity of the stream to the northern site boundary, the proximity of the floodplain, and the location of the site within an area identified by the Environmental Protection Agency as being at very high risk from domestic waste water pollution, the Board is not satisfied that the proposed development, taken in conjunction with existing development in the vicinity, would not result in an excessive concentration of development served by individual effluent treatment systems in the area. The proposed development would, therefore, be prejudicial to public health.

3. Having regard to the location of the proposed dwelling, its relationship to the existing dwellings to the south, and the mass and scale of the proposed development, it is considered that the proposed development would be out of character with the pattern of development in the area and would militate against the preservation of the rural amenities of the area. The proposed development would, therefore, seriously injure the residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

Note: In arriving at its decision in relation to reason no. 1, the Board was of opinion that the sale of a previous house could not be considered to give rise to a housing need in a rural area, under the provisions of the relevant Development Plan.

[Please issue a copy of this Direction with the Board Order.]

Board Member: _____ Date: 22nd June 2016
Philip Jones