



An  
Bord  
Pleanála

**Board Direction**  
**PL88.247618**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on March 24<sup>th</sup> 2017.

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 proposed development is located in a “transitional rural area” as set out in the Cork County Development Plan 2014, within which (under policy objective RCI 4-3) it is policy to permit a dwellinghouse where there is a genuine housing need and where specific criteria have been fulfilled, including that the development would involve “a first home for permanent occupation on a family farm”. Having regard to the information submitted as part of the application and appeal, the Board is satisfied that the applicant already owns a number of houses on the subject landholding, as well as other dwellings in nearby settlements, and considered that the applicant has not established that he is in need for a further such dwelling, under the terms of this objective. Accordingly, it is considered that the applicant does not come within the scope of the rural generated housing need criteria applicable to the site and that therefore the proposed development would contravene materially a stated objective as set down in the Cork County Development Plan 2014. Furthermore, since no rural need has been established, it is considered that the proposed development would be contrary to the Ministerial Guidelines applicable – that is, the “Sustainable Rural Housing Guidelines for Planning Authorities”, as published by the Department of the Environment, Heritage and Local Government in April

2005. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the proposed development, accessed via a narrow laneway which has restricted sightlines onto the R-586 Regional Road, and which also serves existing dwellings, none of which are proposed to be replaced as a result of the subject development, and having regard to the fact that the applicant has not demonstrated that he is in a position to improve these sightlines in order to achieve safe entry / egress for the additional traffic movements likely to be generated, it is considered that the proposed development would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note.** The Board did not agree with the Inspector's opinion that the development in question did not represent a material contravention of the Development Plan. As noted in its reasons and considerations above, The Board considered the development would represent such a material contravention, and in this regard fully accepted the case made by the planning authority. This arises from the planning history of the landholding, the pattern of development in the vicinity, and the terms of the Development Plan in relation to the requirement for applicants to establish a rural housing need. The Board was also satisfied that the subject development would be contrary to the Ministerial Guidelines, for similar reasons.

*[Please issue a copy of this Direction with the Board Order to the parties]*

**Board Member**

**Date:** 24<sup>th</sup> March 2017

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Philip Jones