



An
Bord
Pleanála

Board Direction
BD-007730-21
ABP-308274-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/03/2021.

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 site of the proposed development is located within the Metropolitan Green Belt in the Cork County Development Plan 2014-2020, and in an "Area Under Strong Urban Influence" as set out in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April 2005. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live at this site within this rural area, or that the applicant's housing need could not be met within a town or settlement. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location and that the proposed development and the Cork County Development Plan, and would therefore, be contrary to the Ministerial

Guidelines and to the over-arching national policy, and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to Condition No. 2 attached to the permission granted to application reg. no. 96/1686, the site is the subject of an agreement under which “no further housing shall be carried out”. The applicants propose to construct a dwelling house upon the site and so this dwelling house would materially contravene this Condition. It would thus be contrary to the proper planning and sustainable development of the area.

(ii) Reasons and Considerations

1. Having regard to (a) the absence of a demonstrable housing need for the proposed dwelling house and (b) the extant housing sterilisation agreement upon the site, to grant retention permission for (i) the mobile home on the site, (ii) the on-site domestic wastewater treatment and disposal system, (iii) the bored well, and (iv) the vehicular entrance in the western boundary of the site would, in principle, be premature. Furthermore, it remains to be demonstrated that items (ii) and (iii) would be compatible with safeguarding public health and, as item (iv) has a sub-standard northerly sightline, its compatibility with road safety has yet to be achieved. In these circumstances, the retention of all these items would be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 19/03/2021

Maria FitzGerald