



An  
Bord  
Pleanála

**Board Direction**  
**BD-008696-21**  
**ABP-310015-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/07/2021.

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

#### **Reasons and Considerations**

1. As set out under section 4.5 of the Sustainable Rural Housing Guidelines, the key to protecting water quality in the context of providing new dwellings in unsewered rural areas is to ensure that new development is guided toward sites where acceptable wastewater treatment and disposal facilities can be provided, avoiding sites where it is inherently difficult to provide and maintain.

The proposed development would be prejudicial to public health because it is considered that the site by reason of the high water table, topography and size, is unsuitable for the treatment of septic tank effluent, notwithstanding the use of a proprietary wastewater treatment system.

It is considered that the proposed development would be contrary to the site selection guidance set out in the Sustainable Rural Housing Guidelines and would not be in accordance with the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal and the board's determination on the general unsuitability of the site for wastewater treatment and disposal, and in the absence of an Appropriate Assessment Screening Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or



projects, would not be likely to have a significant effect on Roaringwater Bay Special Area of Conservation (Site Code:000101), or any other European site, in view of the site's Conservation Objectives.

In such circumstances the Board is precluded from granting approval/permission.

3. The Board considered the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, which seek to distinguish between urban generated housing and rural generated housing need and the need for identification of suitable sites and noted 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. The Board is not satisfied that the applicant has established a demonstrable economic or social need to live at this specific site in this rural area.

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 be contrary to the Ministerial Guidelines and to the overarching provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. Under policy RCI 6-1 of the Cork County Development Plan 2014 it is policy to encourage new dwellinghouse design that respects the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape. It is considered that the proposed development by reason of its detailed design and the position of the house at an elevated point on a narrow site which has limited opportunities for landscaping, would be out of character and would fail to integrate appropriately into the landscape. The proposed development would therefore conflict with the provisions of the

current development plan for the area and be contrary to the proper planning and sustainable development of the area.

**Board Member**

Maria Fitzgerald  
Maria Fitzgerald

**Date:** 13/07/2021



