

An
Bord
Pleanála

Board Direction
BD-010767-22
ABP-311188-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/05/2022.

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

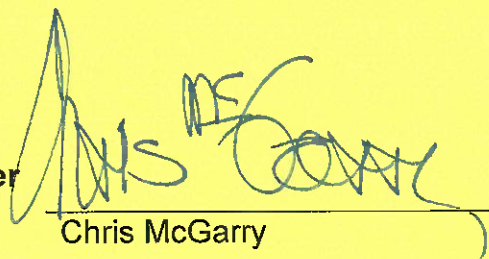
Reasons and Considerations

1. Having regard to the location of the site within a Stronger Rural Area as designated in the Cork County Development Plan 2014, to the relevant provisions of the Kanturk Mallow Municipal District Local Area Plan, and to National Policy Objective 19 of the National Planning Framework and the *Sustainable Rural Housing Guidelines for Planning Authorities* where it is the policy to facilitate the provision of single housing in the countryside, based on the core principle of demonstrable economic or social need to live in area under urban influence, regard being had to the viability of smaller towns and villages and in other areas having regard to siting and design criteria and the viability of smaller towns and villages, it is considered on the basis of the documentation submitted with the application and appeal that the applicant has not demonstrated a genuine housing need to live in this specific rural area or that the housing needs of the applicant could not be met within an established settlement. It is considered therefore, that the applicant does not come within the scope of the housing need criteria as set out in national policy for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the

encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and the viability of smaller rural settlements. The proposed development would be contrary to overarching national policy and having regard to the provisions of the statutory development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: the Board noted recommended condition number 2 as set out by the Inspector, that, 'having regard to the soil conditions and extensive ponding on and in the vicinity of the site, the Board is not satisfied, on the basis of the submissions made in connection with the application and appeal, that the site can be drained satisfactorily by means of a septic tank, notwithstanding the proposed use of a proprietary wastewater treatment system with a polishing filter. The proposed development would, therefore, be prejudicial to public health.'. The Board shared the opinion of the Inspector in this regard. However as this was considered a new issue in the context of the appeal and having regard to the substantive reason for refusal set out above, it was decided not to pursue this matter under the current appeal.

Board Member



Chris McGarry

Date: 24/05/2022