

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork County**

**Planning Register Reference Number: 15/05338**

An Bord Pleanála Reference Number: PL 04.245763

**APPEAL** by Dominic and Carmel Tattan care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 22<sup>nd</sup> day of October, 2015 by Cork County Council to grant subject to conditions a permission to Richard Hegarty care of Wiggins and Associates of 5 Main Street, Lisgoold, Midleton, County Cork.

**PROPOSED DEVELOPMENT:** Construction of a single storey domestic dwelling, septic tank and associated works at Garryvoe Lower, County Cork.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

1. Having regard to the existing pattern of development in the vicinity, including the significant level of individual houses in an unserviced rural area outside of any designated settlement, it is considered that the proposed development would exacerbate the haphazard and unplanned form of development, would intensify urban sprawl and would militate against the preservation of the rural character of the area. Furthermore, having regard to the density of existing development in the vicinity, reliant on individual wastewater treatment systems, in an area identified by the Environmental Protection Agency as being at very high risk from domestic waste water pollution, it is considered that the proposed development would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the existing pattern of development in the area, and to the backland nature and layout of the proposed development, particularly in terms of the proposed access to the site over a narrow private lane surrounding an existing house on two sides with the proposed driveway within the site along a third side, it is considered that the proposed development would seriously injure the amenities of existing residential properties in the area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the vertical and horizontal alignment of the public road, onto which the proposed development would take access, the Board is not satisfied that adequate sight distances are available to serve the proposed development. It is therefore considered that the proposed development would endanger public safety by reason of traffic hazard arising from the additional traffic turning movements that would be generated on this public road where sightlines are restricted. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**