

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 16/04608

An Bord Pleanála Reference Number: PL 04.246695

APPEAL by Michael Kiely care of Tricia Treacy of Ballyduff, Cloyne, County Cork against the decision made on the 10th day of May, 2016 by Cork County Council to refuse outline permission.

PROPOSED DEVELOPMENT: Construction of one dwellinghouse plus domestic garage to include a small treatment plant providing for foul drainage, ancillary site development works and utilising the existing vehicular access to the site, all at Ballynoe, Whites Cross, County Cork.

DECISION

REFUSE outline 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 provisions of the current Cork County Development Plan and the location of the site within an area designated 'Metropolitan Cork Greenbelt' it is considered that, on the basis of the submissions made in connection with the planning application and the appeal, the applicant does not come within the scope of the housing need criteria for a dwellinghouse in this rural area. It is considered that the proposed development would, therefore, contravene materially objective RCI 4-1 of the said Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development for a dwellinghouse, taken in conjunction with existing development to the south, would contribute to, and extend northwards, a pattern of ribbon development which would be contrary to the Development Plan policy, as set out in Section 4.6 and would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development for a further dwelling on the landholding would contravene materially condition number 4 attached to an existing permission granted under planning register reference number 06/8494 for development on the lands.

4. It is considered that the proposed development, taken in conjunction with existing development in the vicinity, would result in an excessive concentration of development served by individual effluent treatment systems in an area classed as being at very high risk under the Environmental Protection Agency domestic wastewater risk category. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.