

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 15/05876

An Bord Pleanála Reference Number: PL 04.246733

APPEAL by David and Suzanne Cullinane of Rearour, Ballinhassig, Cork against the decision made on the 19th day of May, 2016 by Cork County Council to grant subject to conditions a permission to Alan Whyte of Briar Hill, Waterfall, near Cork, County Cork.

PROPOSED DEVELOPMENT: Construction of a dwellinghouse, detached domestic garage and associated site works at Gogginshill, Ballinhassig, County Cork. The proposed development was revised by further public notices received by the planning authority on the 22nd day of April, 2016.

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. The subject site is located in the open countryside, in an area which would correspond to the rural area type “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, wherein it is indicated that it is policy to distinguish between rural-generated housing need and urban-generated housing need. It is also located within an area similarly designated in the current development plan for the area, where it is the policy of the planning authority to discourage urban-generated housing and to seek to locate such housing in the larger urban centres or in the towns, villages and other settlements identified in the Settlement Network. On the basis of the documentation submitted with the application and appeal, it is considered that the applicant has not demonstrated that he comes within the scope of the rural-generated housing need criteria for a house in this rural location. The proposed development would contravene the provisions of the Development Plan, would be contrary to the Ministerial Guidelines, and would further erode the rural character of this area and lead to demands for the provision of public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the rural location of the site and to its configuration and sloping character and to the level of engineering works required to accommodate the proposed development, including the significant level of fill required to facilitate the construction of the house and entrance, it is considered that the proposed development would comprise a visually intrusive feature in the landscape which would seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the site adjoining a stream and to the existing concentration of private effluent treatment systems in the vicinity of the site, it is considered that the proposed development would lead to an excessive concentration of private effluent treatment systems in the area. Therefore, it is considered that the proposed development would be prejudicial to public health and 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.