

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 16/05319

An Bord Pleanála Reference Number: PL 04.247120

APPEAL by Greg and Tracey Cronin care of Cathal Lehane of Springville House, Ovens, County Cork against the decision made on the 26th day of July, 2016 by Cork County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of dwelling, effluent treatment system and associated site works at Fergus, Dripsey, 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. The site of the proposed development is located within a 'Stronger Rural Area under Significant Urban Influence' as set out in the Cork County Development Plan, 2014, wherein it is the policy of the planning authority to restrict housing development to certain limited categories of applicants, including persons who are considered to have a genuine rural-based housing need. This policy is considered to be reasonable. On the basis of the information submitted with the application and appeal, and taking into consideration the nature and extent of existing property on the family landholding, the Board is not satisfied that the applicants have demonstrated a need to construct an additional new dwelling at this particular location on the landholding, and that the applicants' housing requirements could not be met either within existing accommodation on the landholding, or elsewhere within the landholding at locations with less sensitive visual impacts than that proposed in this instance. The proposed development would, therefore, materially contravene the provisions of the Cork County Development Plan, 2014 with regard to the provision of sustainable rural housing and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within a high value landscape with high sensitivity of national importance, and where the objectives of the Cork County Development Plan, 2014 places emphasis on the protection of such landscapes and the importance of designing with the landscape and of siting of development to minimise visual intrusion, as set out in the current Cork Rural House Design Guidelines, which Guidelines are considered to be reasonable. Having regard to the topography of the site, the elevated and prominent positioning of the proposed development, together with its overall design and scale, and the necessity to remove existing trees to accommodate safe access to the house, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development within this nationally important high value landscape. The proposed development would, therefore, 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.