

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork County

Planning Register Reference Number: 16/00425

An Bord Pleanála Reference Number: PL 88.247618

APPEAL by Donal Collins of Kilnahera, Drimoleague, County Cork against the decision made on the 20th day of October, 2016 by Cork County Council to refuse permission.

PROPOSED DEVELOPMENT: Partially demolish outbuilding and permission for change of use of remainder to domestic dwelling house and all associated site works at Kilnahera West Townland, Drimoleague, 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 proposed development is located in a “transitional rural area” as set out in the Cork County Development Plan 2014, within which (under policy objective RCI 4-3) it is policy to permit a dwellinghouse where there is a genuine housing need and where specific criteria have been fulfilled, including that the development would involve “a first home for permanent occupation on a family farm”. Having regard to the information submitted as part of the application and appeal, the Board is satisfied that the applicant already owns a number of houses on the subject landholding, as well as other dwellings in nearby settlements, and considered that the applicant has not established that he is in need for a further dwelling, under the terms of this objective. Accordingly, it is considered that the applicant does not come within the scope of the rural generated housing need criteria applicable to the site and that therefore the proposed development would materially contravene a stated objective as set down in the Cork County Development Plan 2014. Furthermore, since no rural need has been established, it is considered that the proposed development would be contrary to the Ministerial Guidelines applicable – that is, the “Sustainable Rural Housing Guidelines for Planning Authorities”, as published by the Department of the Environment, Heritage and Local Government in April, 2005. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the proposed development, accessed via a narrow laneway which has restricted sightlines onto the R-586 Regional Road, and which also serves existing dwellings, none of which are proposed to be replaced as a result of the subject development, and having regard to the fact that the applicant has not demonstrated that he is in a position to improve these sightlines in order to achieve safe entry/egress for the additional traffic movements likely to be generated, it is considered that the proposed development would endanger public safety by reason of traffic hazard. 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 2017.