

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

## Cork County

**Planning Register Reference Number: 16/07327**

An Bord Pleanála Reference Number: PL 04.248251

**APPEAL** by Stephanie Dormon care of Arrol Byrne and Company of Ballywilliam, Kinsale, County Cork against the decision made on the 27<sup>th</sup> day of February, 2017 by Cork County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Erection of a new two bedroom cottage style dwelling, site works and utility services, all at Lispatrick Upper, Old Head of Kinsale, 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 is located in an area identified as being within 'A Rural Area under Strong Urban Influence and Town Greenbelt' in the Cork County Development Plan in relation to which objective RCI 4-2 is applicable. This objective seeks to restrict rural housing to persons who can demonstrate a genuine rural generated housing need based on their social and/or economic links to a particular rural area and to certain limited categories of applicants. Having regard to the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the applicant comes within the scope of the housing need criteria 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 and the Cork County Development Plan, 2014 for a house at this location. The proposed development would, therefore, contravene materially an objective as set out in the Plan with regard to the provisions of sustainable rural housing and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a narrow and poorly aligned substandard road at a point where sightlines are restricted in both directions of the proposed entrance.
3. The proposed development is located within very high value landscape with very high sensitivity of national importance, where emphasis is

placed 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 Cork Rural House Design Guidelines, and in accordance with objective GI 6-1 as set out in the Cork County Development Plan 2014, which Guidelines and objective are considered to be reasonable. Having regard to the topography of the site in this coastal location, and the open, elevated and prominent positioning of the proposed development, particularly when viewed from the north, together with its overall height and scale on a limited site, 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 very high value landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity, and within this nationally important very high value landscape. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. On the basis of the submissions made in connection with the application and the appeal, and having regard to the limited site size for the installation of a private wastewater treatment system and private bored well to service the proposed house, the Board is not satisfied that the proposed development can be adequately accommodated without constituting a public health hazard. The proposed development would therefore, be prejudicial to public health and would 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                    2017.**