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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/06463**

**APPEAL** by Padraig and Mairéad Lynch of Ballyvisteale, Glanmire, County Cork against the decision made on the 13<sup>th</sup> day of November, 2017 by Cork County Council to refuse permission to the said Padraig and Mairéad Lynch.

**Proposed Development** The restoration of an existing single storey stone dwelling ruin with a proposed two-storey extension (all to comprise one family dwelling house), a single storey detached domestic garage, the installation of a septic tank and percolation area, new site entrance with walls and piers and all associated site works at Ballyvisteale, Glanmire, County Cork.

**Decision**

**REFUSE** permission for the above proposed development in accordance with 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 applicants have failed to demonstrate to the Board that they have satisfied the criteria, as set out in Objective RCI 8-1 of the Cork County Development Plan 2014 – 2020, that the ruin was either used for a sustained period as a dwelling or that it was last so used, that it is convertible without being rebuilt and in this respect their submitted building inspector's report falls short, and the modest size of the ruin is such that its incorporation into the new build element would, in effect, be superfluous to the provision of a fully functioning new build dwelling house. Accordingly, to accede to the proposed development would contravene this Objective and, as such, the proposed development would be contrary to the proper planning and sustainable development of the area.

2. Under the Cork County Development Plan 2014-2020, the site lies within the Metropolitan Cork Green Belt and thus in an area of strong urban influence. The proposed development is effectively for a new build dwelling house on the site and so Objective RCI 4-1 of this Plan fails to be complied with. The current applicants have not demonstrated to the Board that they satisfy this objective and, therefore, to accede to their proposal would materially contravene this Objective. Furthermore, as the site lies within a prominent part of the said Green Belt, its development would contravene Objective GI 8-1, which seeks to preserve such sites from being developed. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.

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**Eugene Nixon**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2018.**