



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/04628

APPEAL by Trevor O'Leary care of Payne Planning and Associates of Gort Meirbh, Durrus, Bantry, County Cork against the decision made on the 1st day of May, 2018 by Cork County Council to refuse permission to the said Trevor O'Leary.

Proposed Development: Construction of dwellinghouse, domestic double garage, waste water treatment system and ancillary site works.
Cusduff, Castletreasure, Co. 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. Having regard to the location of the site within a Rural Area Under Strong Urban Influence, as identified in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February, 2018 which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and does not comply with National Policy Objective 19. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Cork County Development Plan 2014 – 2020 shows the subject site as lying within the Metropolitan Cork Green Belt, which is the area under strongest urban pressure for rural housing. Consequently, under Objective RCI 4-1, applicants for one-off dwellinghouses in this area must demonstrate that they have an exceptional rural generated housing need based on their social and/or economic links to a particular locality. The applicant has not demonstrated that he has such a need and the proposed development would, therefore, contravene Objective RCI 4-1 and the purposes of the Green Belt as set out in Objective RCI 5-2, and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development would contribute to and exacerbate ribbon development within the vicinity of the site and would, therefore contravene Objective RCI 6-3 of the Cork County Development Plan 2014 – 2020. Furthermore, the development of this site as proposed would create an infill site to the south, which would be likely to be the subject of pressure in the future for further ribbon development. The proposed development would, therefore, by itself and by the precedent which it would set, be contrary to the proper planning and sustainable development of the area.

John Connolly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2018.