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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/00044**

**APPEAL** by Concerned Residents of Ardgehane/Ballinglanna care of Donal Murphy of “Suaimhneas”, Ardgehane, Clonakilty, County Cork against the decision made on the 12<sup>th</sup> day of October, 2018 by Cork County Council to grant subject to conditions a permission to Alan and Aisling Riordan care of Mike Shanahan of Fuschia House, O’Rahilly Street, Clonakilty, County Cork.

**Proposed Development:** Construction of a part two-storey/part single-storey dwelling and single-storey ancillary outbuilding, new entrance, new wastewater treatment system, percolation area and all associated site works at Ardgehane, Barryroe, Bandon, 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. Having regard to the location of the site in a 'Tourism and Rural Diversification Area' as identified in the Cork County Development Plan, 2014, it is considered that the applicant does not comply with the restrictions of Development Plan Objective RCI 4-3 and, having regard to the nature and location of the employment of the applicant, the proposed development would contravene Development Plan Objective RCI 2-1, which aims to discourage urban generated housing in rural areas. Notwithstanding other objectives of the Development Plan, 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 site within a rural area under urban influence, 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 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.

3. Having regard to the elevated and exposed nature of the site, in a landscape area of very high value and sensitivity, and on a Scenic Route (reference S72), it is considered that the proposed development would form an unduly prominent and obtrusive feature which would interfere with the character of the landscape. The proposed development would, therefore, materially contravene Development Plan Objective GI 6-1 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**