



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/06607

APPEAL by Noel May care of Eoin C. Daly Mallon Solicitors of 13 Sheares Street, Fenns Quay, Cork against the decision made on the 28th day of November, 2018 by Cork County Council to refuse outline permission.

Proposed Development: Outline permission for construction of a single storey domestic dwelling with wastewater treatment system and associated site works at Trabolgan, Whitegate, County Cork.

Decision

REFUSE outline 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

The site is located in a “Rural Area under Strong Urban Influence” in the current County Cork Development Plan and in the Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need for a dwelling in the rural countryside. Furthermore, it is national policy in such areas under urban influence, as set out in National Policy Objective 19 of the National Planning Framework, 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 in such areas under urban influence. Having regard to the documentation submitted with the planning application and the appeal, wherein it is stated that it would be the intention of the applicant to sell the subject site, should outline planning permission be granted, it is not possible to determine whether any future purchaser would have a demonstrable economic or social need to live in this rural area, or a rural-generated need for a house at this location. The proposed development would, therefore, materially contravene objective RCI 4-2 of the current Cork County Development Plan, would be contrary to the Ministerial Guidelines and to the over-arching national policy. The proposed development would, therefore, 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 2019.