



---

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/05608**

**APPEAL** by Rory and Edel Sheehan care of O'Brien Walsh of 7 Crestfield Lawn, Riverstown, Glanmire, County Cork against the decision made on the 5<sup>th</sup> day of March, 2019 by Cork County Council to refuse permission to the said Rory and Edel Sheehan.

**Proposed Development** New dwelling house, septic tank and percolation area, bored well, entrance and all associated site works, all at Ballyhillloge, Mourneabbey, Mallow, 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**

The site of the proposed development is located within an 'Area Under Strong Urban Influence', 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. Furthermore, the subject site is located within an area that is designated under urban influence, where it is national policy, 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, having regard to the viability of smaller towns and rural settlements. Taking account of the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has adequately provided a genuine and demonstrable economic or social need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria, as set out in the Guidelines and in national policy, for a house at this rural location. Furthermore, the proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy and would be contrary to the proper planning and sustainable development of the area.

---

**Dave Walsh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**