



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/05118

APPEAL by Gemma Linehan care of Matt Fitzpatrick of 8 Carmichael Lane, Mallow, County Cork against the decision made on the 27th day of June, 2019 by Cork County Council to refuse permission.

Proposed Development: Construction of dwellinghouse, entrance, installation of wastewater treatment unit and percolation area and all associated site works at Rosnagussane, Ballyclogh, 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

Having regard to the location of the site within an Area Under Strong Urban Influence as designated in the Cork County Development Plan 2014-2020 and to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and the National Policy Objectives of the National Planning Framework (February, 2018), which seek to manage the growth of areas that are under strong urban influence to avoid overdevelopment and to ensure that the provision of single housing in rural areas under urban influence are provided based upon demonstrable economic or social need to live in a rural area, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the County Development Plan for a house at this sensitive rural location and does not comply with National Policy Objectives. 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, contravene the objectives of the Cork County Development Plan, would be contrary to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and rural policy provisions of the National Planning Framework, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.