



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/06207

APPEAL by Jean-Matthieu and Marie Schaffhauser care of Richard Rainey Architects of 71 Lower O'Connell Street, Kinsale, County Cork against the decision made on the 4th day of November, 2019 by Cork County Council to refuse permission.

Proposed Development: The construction of a dwellinghouse and attached domestic garage with first floor art studio for domestic use, new vehicular entrance and wastewater treatment plant and all associated site works at Garrettstown, Ballinspittle, 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. The subject site is located within an 'Rural Area Under Strong Urban Influence', as identified in the Cork County Development Plan, 2014, the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in the National Planning Framework. National Policy Objective 19 aims to facilitate the provision of single housing in the countryside, based on the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a 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 Cork County Development Plan, 2014 or in national policy for a house at this location and that the applicant's housing need could not be satisfied by locating within an existing urban area or settlement. The proposed development would, therefore, 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 and would negatively impact on the viability of smaller towns and villages.

2. The proposed development, by reason of the topography of the site and the scale and form of the house and garage, in a landscape of very high value and sensitivity and on a scenic route (reference S67) would form an unduly prominent and obtrusive feature which would significantly interfere with the character, value, distinctiveness and sensitivity of the landscape. The proposed development would contravene Policy Objective HE 2-5 and GI 6-1 of the Cork Council Development Plan, 2014, would detract from the visual amenities of the area and would 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 2020.