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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 19/06401**

**APPEAL** by Anne Kelleher of Farmleigh, Killaminoge, Innishannon, County Cork and by Damian and Kerry Coleman of The Bungalow, Killaminoge, Innishannon, County Cork against the decision made on the 28<sup>th</sup> day of November, 2019 by Cork County Council to grant subject to conditions a permission to Darren and Rosie Lineham care of Gearóid Hayes and Associates Limited of 13 Oliver Plunkett Street, Bandon, County Cork.

**Proposed Development:** Construction of dwellinghouse, installation of a small treatment plant and associated site works at Killaminoge, Innishannon, 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 area under strong urban influence which is an area under significant pressure for rural housing, as identified in the Cork County Development Plan, 2014. Furthermore, the site 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 2005, wherein it is policy to distinguish between urban-generated and rural-generated need for a house in the rural countryside. In addition, it is national policy, under National Policy Objective 19 in the National Planning Framework in areas under urban influence (as in this case), “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”.

On the basis of the documentation submitted with the planning application and the appeal, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the Cork County Development Plan, 2014. Furthermore, the Board is not satisfied that the applicants have demonstrated an economic and social need to live at this specific rural location, or that the applicants’ housing needs

could not be satisfactorily met in a smaller town or settlement, in line with national policy. The proposed development would, therefore, be contrary to the Development Plan provisions, to the Ministerial Guidelines and to the over-arching national policy, and be contrary to the proper planning and sustainable development of the area.

2. The proposed development, when taken together with existing dwellings in the vicinity, would represent an excessive density of development in a landscape with limited capacity to assimilate further development, would contribute further to the erosion of the rural landscape character of an area with limited capacity to assimilate further development and would conflict with policy objective RCI 6-1 of the Cork County Development Plan, 2014. The proposed development would establish an undesirable precedent for similar development in the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Philip Jones**

**Member of An Bord Pleanála**

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

**Dated this            day of            2020.**