



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/06007

APPEAL by Werner Seifert and Barbara Seifert of Lettercollum House, Lettercollum, Timoleague, County Cork against the decision made on the 17th day of December, 2019 by Cork County Council to grant subject to conditions a permission to Hazel McLoughlin care of Declan O'Shea of Market Square, Dunmanway, County Cork.

Proposed Development: Construction of a dwelling and all associated site works at Lettercollum, Timoleague, 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. Having regard to the location of the site within a rural area under urban influence, to the existing dwellings on lands currently and formerly associated with the walled garden at this location, to the size of the walled garden itself, and to National Policy Objective 19 of the National Planning Framework, published by the Department of Housing, Planning and Local Government (2018) which, for rural areas under urban influence, seeks 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, it is considered that the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development would not comply with National Policy Objective 19. 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 proper planning and sustainable development of the area.

2. Having regard to the location of the site at the elevated north-western extremity of the land holding, resulting in an excessively long access, and the undesirable precedent for further such development that it would set in respect of a further site which would be established between the subject site and the walled garden, it is considered that the proposed development would constitute a haphazard and disorderly form of backland development which would seriously injure the amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development would not comply with National Policy Objective 19, would contravene the provisions of the National Planning Framework, and would constitute a haphazard and disorderly form of backland development which would seriously injure the amenities of the area.

John Connolly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.