



Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/04167

APPEAL by Joseph and Mary Heffernan of Clonleigh, Kinsale, County Cork against the decision made on the 5th day of August, 2020 by Cork County Council to grant subject to conditions a permission to Jenny Wright care of J.E. Keating and Associates Architects of 4 Holbar House, East Douglas Village, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of new single storey dwelling and detached garage with store area, new bio filtration treatment system, new potable well, new vehicular entrance and all associated site works at Clonleigh, Kinsale, 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 a rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February 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, and to the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is indicated that it is the policy to distinguish between rural-generated housing need and urban-generated housing need, 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 does 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.

Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2021.