



Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/04907

APPEAL by Leah McDonnell care of De Stabletun Associates of 3 Coastguard Station, Crosshaven, County Cork against the decision made on the 13th day of August, 2020 by Cork County Council to refuse permission.

Proposed Development: Construction of a part two-storey dormer and part single storey dwellinghouse, demolition of vacant agricultural shed, demolition of part of agricultural shed south facade to make new ope to accommodate parking a vehicle, decommissioning of an existing septic tank, and provision of a new waste water system for domestic use, all necessary landscaping and ancillary site works at Orkla Farm, Callas, Berrings, 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 site of the proposed development 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 April 2005 and within a Rural Area under Strong Urban Influence as designated in the Cork County Development Plan 2014. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, published by Government in 2018, 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 documentation submitted with the application and 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 Guidelines and in national policy for a house at this location, and that the proposed development 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, be contrary to the Ministerial Guidelines and to the over-arching national policy, and contrary to the relevant

provisions of the Cork County Development Plan 2014. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the pattern of existing residential development in the immediate vicinity of the site, to the siting of the proposed house to the rear of established residential properties, and to the lack of public water services to meet the needs of the proposed dwelling, it is considered that the proposed development would constitute a piecemeal, disorderly, haphazard form of backland development in an unserviced area that would be likely to seriously injure the amenities and depreciate the value of adjoining residential properties and would create an undesirable precedent for development of a similar nature in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2021.