

An  
Bord  
Pleanála

Board Order  
ABP-310094-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 21/39904**

**APPEAL** by Robert O'Dwyer care of Keystone Planning Consultancy of Rossbrin, Frankfield View, Old Youghal Road, Cork against the decision made on the 6<sup>th</sup> day of April, 2021 by Cork City Council to refuse permission to Robert O'Dwyer.

**Proposed Development** Erect a new dwelling house together with all ancillary site works, all at Curraghconway, Lehenagh, 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.

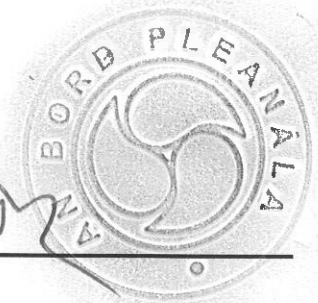
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## Reasons and Considerations

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 which seek to distinguish between urban generated housing and rural generated housing need. Furthermore, the site is located in an area that is designated as being under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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. In addition, the site of the proposed development is located within the Metropolitan Cork Greenbelt, as designated in the Cork County Development Plan 2014. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has established a demonstrable economic or social need to live at this specific site 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, in national policy and in Development Plan policy, for a house at this location. 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 be contrary to the Ministerial Guidelines and to the overarching provisions of the National Planning Framework and having regard to the relevant provisions of the Cork County Development Plan 2014, including Objective RCI 4-1, which relates to rural housing within the Metropolitan Cork Greenbelt. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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2. Having regard to the location of the site to the rear of an existing utilities compound and site of telecommunications infrastructure, it is considered that the proposed development would constitute a haphazard and disorderly form of development which would seriously injure the residential and visual amenities of prospective occupants of the proposed dwelling by reason of immediate proximity to the adjoining utilities compound. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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

Dated this 24<sup>th</sup> day of August 2021.