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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/04998**

**APPEAL** by Sinéad O'Reilly and Darren Daly care of Anthony Hayes Architects of Number 8 Springmount, Kinsale, County Cork against the decision made on the 9<sup>th</sup> day of June 2021 by Cork County Council to refuse permission to Sinéad O'Reilly and Darren Daly.

**Proposed Development** The construction of a dwellinghouse and domestic garage and associated site works, all at Kilmore, Ballinspittle, 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 in a scenic rural area close to the amenity area of Garrettstown in County Cork and within an area designated as a rural area under strong urban influence in the current Cork County Development Plan. It is the objective of the Development Plan to discourage urban-generated housing in rural areas, which should normally take place in the larger urban centres, or the towns, villages and other settlements identified in its settlement network (Objective RCI 2-1). It is also an objective of the Development Plan that, in rural areas under strong urban influence, applicants must satisfy the planning authority that their proposal constitutes a genuine rural-generated housing need based on their social and/or economic links to a particular local rural area. In addition, the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April 2005 and the National Policy Objectives of the National Planning Framework seek to promote rural-generated housing need and to manage the growth of areas that are under urban influence in order to avoid overdevelopment and to ensure that the provision of single housing in rural areas under urban influence are provided based upon demonstrable economic or social need to live in a rural area.

It is considered that the applicants do not have a demonstrable rural-generated housing need, as set out in the Development Plan and the "Sustainable Rural Housing Guidelines for Planning Authorities" and the proposed development does not comply with National Policy Objectives. The proposed development, in the absence of any identified locally based need for a house at this location, 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 provisions of the “Sustainable Rural Housing Guidelines for Planning Authorities” and the rural policy provisions of the National Planning Framework and would be contrary to the proper planning and sustainable development of the area.

2. Taken in conjunction with existing and permitted development in the area and specifically along the stretch of roadway onto which the proposed development would access, the proposed development would add to an undesirable level of linear development along this short stretch of road, would constitute ribbon development and would, therefore, be contrary to the relevant provisions on ribbon development in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April 2005, and would contravene Objective RCI 6-3, as set out in the current Cork County Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Dr. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

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



Dated this 8<sup>th</sup> day of Nov. 2021.