



An  
Bord  
Pleanála

Board Order  
ABP-311674-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/05697**

**APPEAL** by Carroll Daly and Others care of John MacCarthy and Partners, Chartered Engineers of 16 Mary Street, Cork against the decision made on the 20<sup>th</sup> day of September, 2021 by Cork County Council to grant subject to conditions a permission to Darragh McCarthy care of GMC Construction Limited of Glenny, Riverstick, County Cork.

**Proposed Development:** Construction of a dwellinghouse, domestic garage, on site wastewater treatment unit and all associated site works at Coolkirky, Riverstick, County Cork.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

The site of the proposed development is located within a "Rural Area under Strong Urban Influence" in the Cork County Development Plan 2022-2028, and 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. It is an objective of the planning authority, as expressed in the current Development Plan, to channel housing into serviced centres and to restrict housing development in rural areas under strong urban influence to those people who can demonstrate a genuine rural generated housing need to live in the countryside. This objective is considered reasonable. 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, 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. 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 at this site within this rural area, or that the applicant's housing need could not be met within a town or settlement. 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, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, and having regard to the relevant provisions of the current Cork County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area. In addition, having regard to the pattern of development in the immediate vicinity, the proximity of the site to the key village of Riverstick and to the location of the proposed site in an area under strong urban pressure, it is considered that the proposed development would exacerbate and consolidate a trend towards the establishment of a pattern of haphazard rural housing in an unzoned rural area which would lead to an erosion of the rural and landscape character of

this area and which would lead to increased demands for the uneconomic provision of public services and facilities, where these are neither available nor proposed in the said Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Dave Walsh**

**Member of An Bord Pleanála**

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



Dated this *2<sup>nd</sup>* day of *August* 2022