



An  
Bord  
Pleanála

**Board Order**  
**ABP- 313506-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 22/00106**

**Appeal** by Stephanie Byrnes care of Edge Architecture Limited of Clarke Street, Clonakilty, County Cork against the decision made on the 19<sup>th</sup> day of April, 2022 by Cork County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a new dwelling house, wastewater treatment system, percolation area and all associated site works at Ballinoroher, Timoleague, County Cork.

## Decision

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

## Reasons and Considerations

1. Having regard to the location of the site within a 'Tourism and Rural Diversification Area' as identified in the Cork County Development Plan 2022-2028, where housing is restricted to persons demonstrating a local need based on their social and/or economic links to a particular local rural area, and to the applicant's particular circumstances as set out in the documentation submitted with the application, it is considered that the applicant does not come within the scope of the housing need criteria as set out in Objective RP 5-5 of the development plan, for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within a 'Tourism and Rural Diversification Area' as identified in the Cork County Development Plan 2022-2028 for the area, which is described as having a higher level of environmental and landscape sensitivity. Having regard to the unspoilt upland location of the proposed development, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to Objective GI 14-9 of the development plan - to protect skylines and ridgelines from development, and to the proper planning and sustainable development of the area.

  
**Liam Bergin**

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

**Dated this 12 day of September 2023**