



Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 22/00313

APPEAL by Jennifer Power care of DMCA Consultants Limited of Marino Street, Bantry, County Cork against the decision made on the 29th day of June, 2022 by Cork County Council to refuse permission for the proposed development.

Proposed Development: Construction of dwelling house, installation of wastewater treatment system and all associated site works at Derrymihin West, Castletownbere, 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: -
 - (a) the location of the site within a rural area identified as being an area under strong urban influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in 2005 and a Rural Area under Strong Urban Influence and Town Greenbelts (GB 1-1) under the Cork County Development Plan 2022-2028,
 - (b) the provisions of the Cork County Development Plan 2022-2028 and specifically Objective RP 5-4, which facilitates the provision of rural housing for local rural people building in their local rural area,
 - (c) the National Policy Objective 19 of the National Planning Framework (February 2018) which seeks 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, and
 - (d) the absence of documentary evidence on the file outlining the applicant's need to live in this rural area,

the Board was not satisfied, on the basis of the information submitted with the planning application and the appeal, that the applicant's proposal constitutes a genuine rural generated housing need based on their social and/or economic links to the local rural area and the applicant has demonstrated that they comply with the categories of housing need set out in Objective RP 5-4 of the development plan, or that the applicant comes within the scope of either economic or social housing need criteria as set out in the overarching National Guidelines.

The proposed development, in the absence of any identified rural generated housing need for a house at this location, would result in a haphazard and unsustainable form of development in an unserved area, 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 undermine the settlement strategy set out in the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site is located on a minor road which is seriously substandard in terms of surface condition, width and alignment. The traffic generated by the proposed development would, therefore, endanger public safety by reason of traffic hazard and obstruction of road users.



Mary Cregg

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

Dated this 15th day of November 2023.