



An
Bord
Pleanála

Board Order
ABP-316096-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 22/793

Appeal by Kevin and Susan Bohmiller care of Coakley O'Neill Town Planning Limited of N.S.C. Campus, Mahon, Cork against the decision made on the 23rd day of February, 2023 by Cork County Council to refuse permission.

Proposed Development: Demolish an existing derelict dwellinghouse and permission to construct a replacement dwellinghouse and domestic garage, new site access, install a wastewater treatment system and undertake all associated site works, all at Dromdaleague, Drimoleague, County Cork.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the nature and scale of the proposed development, which comprises two separate areas outlined in red, and whereby the proposed replacement dwellinghouse is located at a different site to the dwellinghouse proposed to be demolished, it is considered that the proposed development would contravene Objective RP 5-30 of the Cork County Development Plan 2022-2028, in particular the criterion which requires the development to be of an appropriate scale and design relative to the structure being replaced and the location and character of the site. The proposed development would be contrary to the provisions of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site within a rural area identified as a Transitional Rural Area in the Cork County Development Plan 2022-2028, to the categories of housing need provided for within the development plan for such areas as set out in Objective RP 5-7, and to the provisions of the 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government in 2005 relating to rural generated housing need, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the development plan and the guidelines for a dwellinghouse at this rural location on local road L-8745-0. The proposed development, in the absence of any identified locally based need for a dwellinghouse, 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 be contrary to the rural settlement policy provisions of the Cork County Development Plan 2022-2028 and the Sustainable Rural Housing Guidelines for Planning Authorities and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the dwellinghouse proposed to be demolished, it is considered that the proposed development would contravene Objective RP 5-31 of Cork County Development Plan 2022-2028, in particular the criterion which encourages new uses for disused or derelict farm buildings, to 'Encourage the sensitive refurbishment and conversion of suitable disused or derelict traditional farm buildings, built using traditional methods and materials, and other suitable historic buildings such as mills and churches, for residential purposes, community, or commercial uses (including social enterprise) where appropriate, subject to normal planning considerations, while ensuring that the re-use is compatible with environmental and heritage protection.' The proposed development would be contrary to the provisions of the development plan and would, therefore, be contrary 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 23rd day of May 2024.