



An
Bord
Pleanála

Inspector's Report PL04.247744.

Development	Dwelling House, garage and effluent treatment system.
Location	Rooves More, Coachford, Co Cork.
Planning Authority	Cork County Council.
Planning Authority Reg. Ref.	16/5759.
Applicant(s)	Patrick Kennelly and Claire Finnegan.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party versus decision.
Appellant(s)	Geraldine and Michael Collins.
Observer(s)	Noel and Elizabeth Carty.
Date of Site Inspection	16 February 2017.
Inspector	Stephen Rhys Thomas.

1.0 Site Location and Description

- 1.1. The subject site is located in a rural area of Co. Cork, in the townland of Rooves More, Coachford, approximately 16 kilometres west of Ballincollig, 2 kilometres south of Coachford and 11 kilometres west of Ovens. The site is located in a picturesque location and offers views over the Inniscarra reservoir, formed along the course of the River Lee to the north. The site itself covers a stated area of 0.9ha and is rectangular in shape. The northern area of the site adjoins the margins of the reservoir. The proposed location of the house is in the north western corner of the site in the vicinity of mature trees and hedging. The site slopes down from the public road to the banks of the lake. The eastern boundary is not defined. The roadside southern boundary is characterised by a high bank with mature hedging. The majority of the site is currently under grass and used for agricultural grazing purposes.
- 1.2. Access to the appeal site is via the local road network. To the south of the site, and lying upslope are located a number of dwellings which are situated on prominent and elevated sites. The wider area is characterised by rolling hills and the open nature of the course of the river Lee which is wide at this point and takes the form of a lake. The National Rowing Centre is also located on the southern shores of the reservoir further to the east. The recently developed Coachford Greenway starts its route from Coachford along the northern banks of the river diagonally across from the appeal site. There are few dwellings on the lower northern side of the L2202 road, adjacent to the banks of the reservoir.

2.0 Proposed Development

- 2.1. The proposed development was amended by a further information request and consists of the construction of a two storey house of up to 7.5 metres in height. The house design comprises a number of side and front projections with a mixture of smooth plaster and stone cladding. The dwelling has a stated floor area of 169.6 sq.m. A single storey domestic garage of 45 sq.m. will be located to the north west of the dwelling.
- 2.2. It is also proposed to install a septic tank and percolation area whilst a water supply will be obtained from a private well to be sunk on site. Access to the site will be via a

new entrance arrangement onto the adjacent public road to the south eastern end of the site.

3.0 Planning Authority Decision

3.1. Decision

The planning authority granted permission, subject to 24 conditions, relevant conditions are summarised as follows:

- Condition 2. The dwelling shall be first occupied by the applicant for a period of at least seven years, submission of a section 47 agreement under the Planning and Development Act 2000 (as amended).
- Conditions 4, 5, 6, 7, 8 and 9 all refer to design and building finishes.
- Condition 10 refers to the revised landscape plan.
- Conditions 22, 23 and 24. Technical requirements and obligations with regard to the proposed wastewater treatment system.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Planners Report can summarised as follows:

- The planning history of the site is noted with regard to the scale and form of the previously permitted dwelling. A revised proposal is requested to be less than 7.5 metres in height and some design adjustments, in addition to a revised landscape layout.
- The applicant can comply with the requirements of objective RCI 4-2 of the County Development Plan.
- The site's location along a designated scenic route is noted, but no visual impact to this route is anticipated from the development proposed.
- A revised site layout is required, which shows 90 metre sight lines in each direction and the location of a secondary agricultural gate and proposal for same.

- Further information is required with regard to the wastewater treatment system and location of wells and other treatment units in the area.
- The site was screened out from the requirement for Appropriate Assessment.

The final Planner's Report concludes that the further information received is acceptable and recommended a grant of permission.

3.2.2. Other Technical Reports

Area Engineer's Report – site entrance details and location of adjacent wells required as further information. Subsequent report states no objections subject to the attachment of standard conditions.

3.3. Prescribed Bodies

An Taisce Report – The proposal should be assessed against the Cork County Development Plan specifically with regard to 'High Value Landscape' designation, the National Spatial Strategy, Sustainable Rural Housing Guidelines and EU Groundwater Directive with respect to effluent treatment.

3.4. Third Party Observations

Two submissions were received by the planning authority. The issues raised are broadly the same as those raised in the grounds of appeal. In addition, the influence of bright headlights from cars leaving the site, restriction of infrastructural improvements to Roove's Bridge, impact upon biodiversity and the scale of the development compared with that previously permitted were raised as concerns.

4.0 Planning History

Appeal site

Planning register reference 14/4081. Permission for the extension of duration of 08/9637, a dwelling house. March 2014.

Planning register reference 08/9637. Permission for a dwelling house and effluent treatment system. May 2009.

Sites in the vicinity

Planning register reference 16/7008. Permission refused on traffic grounds for the retention of change of use of existing outbuildings to living accommodation. February 2017.

Planning register reference 16/7016. Permission refused for a dwelling on traffic grounds, would exacerbate ribbon development and be an obtrusive feature on the landscape. February 2017.

Planning register reference 16/7018. Permission refused for a dwelling on traffic grounds, would exacerbate ribbon development and failure to meet housing need requirements. February 2017.

Planning register reference 16/6808. Application for a dwelling withdrawn. March 2017.

5.0 Policy Context

5.1. Development Plan

The Cork County Development Plan, 2014 is the relevant planning policy document. The appeal site is located in an area of Co. Cork which has been identified as being a Rural Area under Strong Urban Influence, and having a High Value Landscape. The landscape is characterised as Hilly River and Reservoir Valleys.

A designated Scenic Route - *S38 Road between Classis, Curraghbeg and Coachford*, passes around the site.

The following policy objectives are considered applicable:

- Objective RCI 4-2: Rural Area under Strong Urban Influence:

The rural areas of the Greater Cork Area (outside Metropolitan Cork) and the Town Greenbelt areas are under significant urban pressure for rural housing. Therefore, 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, and in this regard, must demonstrate that they comply with one of a number of identified categories including:

- a) Farmers, their sons and daughters who wish to build a first home for their permanent occupation on the family farm.
- b) Persons taking over the ownership and running of a farm on a fulltime basis, who wish to build a first home on the farm for their permanent occupation, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.
- c) Other persons working fulltime in farming, forestry, inland waterway or marine related occupations, for a period of over seven years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.
- d) Persons who have spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation.
- e) Returning emigrants who spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation, who now wish to return to reside near other immediate family members (mother, father, brother, sister, son, daughter or guardian), to care for elderly immediate family members, to work locally, or to retire.

- Objective RCI 4-8: Exceptional Health Circumstances: This policy objective seeks to facilitate the housing needs of persons who are considered to have exceptional health circumstances that require them to live in a particular environment or close to family support in the rural area. The application for a rural dwelling must be supported by relevant documentation from a registered medical practitioner and a qualified representative of an organisation which represents or supports persons with a medical condition or a disability.

This objective applies to all rural housing policy area types.

- The subject site is located within the Greater Cork Ring Strategic Planning Area (GCRSPA). In terms of CDP objectives for the area – Objective CS 4-2 d) states:
Facilitate the development of the villages as set out in the local area plans so that the rate of future population growth compliments the strategy to achieve a critical

mass of population in the towns and provide protection for those areas recognised as under pressure from urban development;

In addition, the GCRSPA under Objective CS 3-2 deals with the 'Network of Settlements: Lower Order Settlements' and identifies that Other Location settlements are to be identified in the Local Area Plans. The plan provides that it is the strategic aim to 'recognise other locations, as areas which may not form a significant part of the settlement network, but do perform important functions with regard to tourism, heritage, recreation and other uses'. CS 4-1 deals with the Greater Cork Ring Strategic Planning Area.

- The County Development Plan identifies the area, in terms of Landscape Character Type, as being a Hilly River & Reservoir Valley, Type 8. This landscape is identified as having a high landscape value and high sensitivity with a national level importance. County Development Plan Objective GI 6-1: Landscape, is considered relevant in this instance and it is the stated policy of the Council:
 - a) Protect the visual and scenic amenities of County Cork's built and natural environment.
 - b) Landscape issues will be an important factor in all landuse proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.
 - c) Ensure that new development meets high standards of siting and design.
 - d) Protect skylines and ridgelines from development.
 - e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

Objective GI 7-1 of the Plan deals with General views and prospects.

Objective GI 7-2 of the Plan deals with Scenic Routes.

Section 4.6 of the Plan deals with the general planning considerations for rural housing.

Objective RCI 6-1 of the CDP deals with Design and landscaping of new dwelling houses in rural areas while RCI 6-2 deals with Servicing individual houses in rural areas.

Cork Rural Design Guide: Building a New House in the Countryside - Cork County Council 2010.

National Guidance

Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses - Environmental Protection Agency 2010.

Sustainable Rural Housing Guidelines for Planning Authorities - Department of the Environment, Heritage and Local Government 2005.

5.2. Natural Heritage Designations

The Gearagh SAC, Site Code 000108, located 11 kilometres to the west of the appeal site. Cork Harbour SPA, Site Code 004030, is located approximately 26 kilometres to the east and downstream of the appeal site.

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal has been lodged against Cork County Council's notification of decision to grant permission. The main grounds of appeal can be summarised as follows:

- The site is located in a high value landscape, part of the Metropolitan Green Belt area as designated in the Cork County Development Plan. There have been numerous dwelling house refusals in the area and landscape impact was an issue.
- The development is prejudicial to public health, given the proximity of the effluent treatment system to the lake which supplies water to Ballincollig and Cork City.

- The site is not located in a village setting. The proposed dwelling taken together with existing, permitted and proposed development would put a strain on the area where there are no services. The development would not accord with County Development policies with regard to planning and development of the area.
- The number of trees proposed will impact on natural light to the appellant's dwelling, impact upon views to the lake and may present a traffic hazard by obscuring visibility on roads.
- The proposed development will impact upon the ability of the area to attract, international rowing events, fishing events and general tourist related activities.
- The appellant requests regard is given to their submission on the planning application.

6.2. Applicant Response

The applicant's response can be summarised as follows:

- The applicant is currently renting a property in Kinsale and therefore have a housing need.
- The applicant is from the area and is a school teacher in the locality, at Ovens National School, satisfies the criteria for rural housing in the County Development Plan.
- The site already has permission for a dwelling, the proposed dwelling will not be any higher than that previously permitted and sight lines are within the applicant's control. The proposed dwelling will not obscure views of the lake from the road.
- The applicant will introduce bird and bat boxes, plant wild flowers and therefore increase biodiversity on the site.
- The site suitability test was carried out by a certified assessor and the treatment system is designed in accordance with relevant guidelines.

- Past refusals for dwellings in the vicinity are repeat applications on a bend in the road and current planning applications should be taken into account as they are not yet decided.

6.3. **Planning Authority Response**

None.

6.4. **Observations**

The observation can be summarised as follows:

- The revised landscaping plan incorporates trees which grow to 80 feet and will obscure the views of the lake from dwellings and views towards the bridge of approaching traffic.
- Given the success of rowing in the recent Olympics and the location of the nearby National Rowing Centre, there has been a marked increase in traffic on the road. Combined with a recent planning application to retain dwellings, there may be an issue with traffic volumes.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Rural Housing Policy
- Visual Impact - landscape and scenic routes
- Traffic
- Residential Amenity
- Wastewater Treatment
- Appropriate Assessment

7.2. **Rural Housing Policy.**

- 7.2.1. The appellant has called into question the proposed development and accordance with County Development policies with regard to the development of the area. This is an application for single one off house and treatment system in a rural area of Co Cork. The site is located in an area designated as a “Rural Area under Strong Urban Influence”. Objective RCI 4-2 of the Cork County Development Plan, and other policies and objectives to do with landscape, scenic routes and rural house design all refer to the appeal site. In a rural area under strong urban influence it is an objective of the Development Plan that single house proposals should constitute a genuine rural generated housing need based on the applicant’s social and / or economic links to a particular local rural area or returning immigrants who wish to reside in the local area in which they have ties. In addition, the County Development Plan seeks to facilitate the development of designated villages in order to provide protection for those areas recognised as under pressure from urban development.
- 7.2.2. In respect of identifying if an applicant satisfies the rural housing need objectives of the Council, it is noted that the two applicants have completed the supplementary planning application form and supplied supporting correspondence. Claire Finnegan sets out that the landowner of the site is a neighbour of her home place. It is stated that the home place is 725 metres away but there are no maps to illustrate this connection in the context of the appeal site. The planning application is made by a teacher and structural engineer, currently renting a dwelling in Kinsale, Co. Cork. Claire Finnegan teaches at Ovens National School, a distance of 11 kilometres to the east. No information is provided with regard to Patrick Kennelly. On the basis of the available information, I am not satisfied that the applicants have adequately demonstrated links to the area or that they satisfy the relevant eligibility criteria set out in Development Plan.
- 7.2.3. I would draw the Boards attention to the County Development Plan Objective CS 4-2, in relation to the Greater Cork Ring Strategic Planning Area that states the growth of villages such as nearby Coachford should provide protection for those areas recognised as under pressure from urban development.
- 7.2.4. I have concerns that the proposed development runs contrary to the realisation of Council Policy. I note that Coachford Village has a defined Development Boundary identified in the LAP for the area. Coachford is located a short distance to the north of the appeal site and provides a variety of local services. The sustainable growth of

villages like Coachford has an impact on the ability of such settlements to offer alternatives to development in the open countryside which the Development Plan seeks to protect. In this respect I have observed that the hinterland of Coachford is characterised by a high degree of one-off rural houses, which militates against the preservation of the rural environment and the efficient provision of public services and infrastructure in villages such as Coachford.

7.2.5. The applicant has not demonstrated a local housing need; it is not essential that they live in this particular rural location. In my view the bias towards the provision of one-off rural housing in the vicinity is damaging to the long term viability of nearby villages. In addition, the provision of sites for one-off housing is eroding the landscape quality for which the area has been identified as requiring protection. Consequently, I consider that the applicant's proposal draws development away from nearby villages and therefore runs contrary to the objective to provide protection for areas recognised as under pressure from urban development.

7.2.6. I consider that the matter of rural housing policy and enabling sustainable village growth has not been adequately addressed by the applicant. Therefore, County Development Plan policies and objectives with regard to genuine rural generated housing need and the protection of rural areas under urban pressure should form the basis of a reason to refuse permission.

7.2.7. *Planning History* - I note that there is an extant permission to construct a dwelling on the site, PA reference 08/9637 and 14/4081 refer. Most recently the duration of this permission was extended by five years until 2019. I have not seen the plans associated with the permission, however, a condition restricting first occupancy was attached to the initial permission. The applicant at the time was Myles McSwiney and condition 3 requires the applicant or members of his immediate family to be the first occupants of the dwelling for a period no less than seven years. The Board should note that the current applicants are contracted to purchase the site from Myles McSwiney and Anne Maire Desmond.

7.3. **Visual Impact – landscape and scenic routes.**

7.3.1. The appellant has made much of the impact that the dwelling will have on the scenic qualities of the area and the resultant loss to tourism. In addition, the loss of the views of the lake from their property as a result of the proposed dwelling and

landscaping scheme will impact negatively on the pleasure derived from living close to the lake. There will be other impacts too, in relation to the running and viability of rowing events which rely on clear lines of sight for timing and starting race events.

7.3.2. Firstly, there is no right to a view from private property and it is not within the remit of planning legislation to preserve and privatise views for the enjoyment of the individual. It is however, appropriate to identify important views and vistas and seek their preservation for the enjoyment of the public at large. This has been done by Cork County Council in the County Development Plan by designating the area as a High Value Landscape, worthy of protection. Secondly, I note that there is an extant permission for a dwelling at this location, which withers in 2019. I have not seen the plans for the permitted dwelling so I cannot make a judgement as to its visual impact regarding design, scale or siting. Notwithstanding the applicant's contention that the current proposal is an improvement on the already permitted dwelling, the Board should note that construction and occupation of the permitted dwelling is limited to the previous applicant/immediate family members and that the site is currently for sale.

7.3.3. In terms of the scale of the current house, I note that further information drawings submitted to the planning authority reduced the overall height of the house from 8.8 metres to 7.5 metres and reduced the floor area. The house remains a two storey dwelling and will be viewed as such from a variety of locations. The design and style of the house broadly accords with the Cork Rural Design Guide and I have no real objection in principle. However, given the sensitivity of the site, I am concerned that the proposed house does not sufficiently take account of its surroundings. I note the house is located in the corner of the site and screened to some degree by a copse of low standing deciduous trees. The site slopes down to the reservoir and drawings show that a significant level platform must be cut from the slope to accommodate the proposed house. Given the form and floorplate of the house design, the level platform is large and also accommodates a driveway and car parking area. I am not convinced that a house of the scale and design proposed or site layout would satisfactorily respect the site context nor contribute to the character of the immediate landscape.

7.3.4. *Landscape* - In the wider landscape context, the site is situated on the shore of a reservoir which has been defined as being of national importance and in this regard,

the potential visual impact of the development must be considered. The appeal site is visible from a number of vantage points, including the recently developed Coachford Greenway which runs along the northern shore of the reservoir. The site is also visible from a right of way which runs along the southern shore and alongside the appeal site. The site is visible too, from Roove's Bridge adjacent to the site and the site will be seen from the reservoir itself. The inevitable conclusion of which is that the site is both prominent and exposed, so any development must be carefully considered and very well designed.

- 7.3.5. I am not convinced that the proposed two storey house which sits on a large platform cut from sloping ground will satisfactorily sit into the landscape. In addition, I do not think that the proposed landscaping plan will adequately screen the development, because the site is so prominent and slopes downwards to the shore of the reservoir. In my opinion the landscape is not sufficiently robust to absorb the development of the type proposed without irrevocably altering the existing character.
- 7.3.6. The siting, size and scale of the proposed house, if permitted, represents a significant visual feature in this sensitive landscape. I consider that the visual impact in the wider landscape would be inappropriate and contrary to the County Development Plan policies which seek to protect the visual amenity associated with the area.
- 7.3.7. *Scenic Routes* - Lastly, the County Development Plan states that it is important to protect the character and quality of those particular stretches of scenic routes that have special views and prospects particularly those associated with High Value Landscapes. A scenic route passes to the southern and western portion of the site along the minor country road and the R619. In this respect I note that the landscape scheme states the existing sod and stone ditch will be removed and replaced to accommodate sightlines to the west of the vehicular entrance. This could amount to up to 80 metres of a repositioned hedge line, resulting in a wider road and therefore alter the character of the roadway at this location. Such a change in character to a designated Scenic Route would, in my opinion, result in a loss of the scenic character and quality of the area the Development Plan has sought to protect.

7.4. **Traffic.**

7.4.1. The applicant has shown an 80+ metre sight line in both directions whilst exiting the proposed site. The sight lines are achieved by the removal of the existing roadside boundary within the control of the applicant and the maintenance of low vegetation growth elsewhere. It is difficult to determine with any degree of accuracy as to what extent and over what length the roadside boundary is to be modified or removed. I note the planning authority's attachment of a condition to clarify the exact dimensions of the new entrance and this is to ensure safe access to and egress from the site and the provision of 90 metres of sight distance in both directions. Given the alignment of the public road in the vicinity, I do not have any strong concerns that a traffic hazard will be generated by the development as proposed. Nor do I anticipate that the proposed landscape plan will impact upon traffic safety in the wider area.

7.4.2. I note however, that any potential requirement for the removal of roadside boundaries to achieve sight distances would contribute to the visual impacts associated with the proposed development in this high value landscape and along a designated Scenic Route.

7.5. Residential Amenity.

7.5.1. The appellant has raised concerns that the proposed landscape plan, which includes potentially tall trees, will reduce the amount of natural light their property receives. Given the extensive separation distances involved and the difference in levels, I anticipate no loss of residential amenity as a result of the development proposed.

7.6. Wastewater Treatment.

7.6.1. The applicant intends to install a septic tank waste water treatment system to service the house. It is also noted that the house is to be serviced by a private well for its water supply as is the norm for other dwellings in the vicinity. Having considered the information provided on the planning authority file with regard to the proposed development, it is clear that consideration of the sites suitability with regard to the treatment and disposal of waste water has been considered. In this regard, the applicant submitted a completed site suitability assessment carried out by Patrick Kennelly of Concept Design, regarding the suitability of the proposed site in terms of the treatment and disposal of wastewater generated on the site.

7.6.2. The appellant has raised some concerns with regard to the proposed septic tank and possible contamination of the reservoir, a source of drinking water.

- 7.6.3. The site characterisation assessment, submitted by the applicant, notes that no bedrock was identified in the trial pit, which was dug to 2.1m below ground level (bgl). The assessment identifies that the site is located in an area where there is no Groundwater Protection Scheme and categorises the site as being a locally important aquifer (LI) with extreme vulnerability. A Groundwater Protection Response of R2¹ is indicated. The soil type is described as 'Sandy Gravelly Clay with occasional cobbles and boulders' at Horizon B. T tests carried out on the site, at a level of 0.85m bgl, yielded an average T₁₀₀ value of 8.67. P tests were carried out at the site at a level of 0.4m bgl, yielded an average P₁₀₀ value of 16.33 and a P value of 5.08. The report concludes by recommending a septic tank and percolation area with a capacity PE of 6.00 and a percolation area comprising of 6 trenches of 18m in length. The system will discharge to groundwater with a hydraulic loading rate of 3.75 l/m²/d.
- 7.6.4. The site assessment follows the various steps outlined in EPA guidance in relation to wastewater treatment systems for single houses. I do however have an issue with regard to section 3.1 of the assessment. The visual assessment fails to identify the proximity of Inniscarra reservoir formed along the course of the River Lee. Whilst the report notes the proximity of the River Lee, I would contend that the adjacent waterbody should in fact be recognised as a lake. This is important because EPA guidelines with respect to minimum separation distances from lake/foreshore is 50 metres. The proposed percolation area is situated approximately 22 metres from the flood plain of the reservoir and approximately 35 metres from the actual lakeshore.
- 7.6.5. The appeal site is large and it may be possible to accommodate a wastewater treatment system elsewhere. However, the proposed location of the septic tank and percolation area is outside the allowable limits set by the EPA for proximity to a lake or foreshore and is therefore unacceptable. In addition, it should be noted that the reservoir provides raw water for the Inniscarra Water Treatment Plant, which in turn provides a large public water supply to Cork City and the rural hinterland.
- 7.6.6. I note the contents of a drawing submitted by the applicant with regard to the locations of domestic wells and wastewater treatment systems in the vicinity. Whilst separation distances from wells to percolation areas may be preserved, I would have concerns about the growing density of wastewater treatment systems and the resultant impact to groundwater feeding domestic wells and the proximity of the

reservoir. In my opinion, the concentration of private wastewater treatment systems in this area could have potential to result in a public health hazard.

7.7. Appropriate Assessment.

The subject site is located at a distance of approximately 11 kilometres from the nearest European site, being The Gearagh SAC, Site Code 000108, located to the west and upstream of the subject site. The conservation objectives for the site seek to maintain or restore the favourable conservation status of habitats and species of community interests so as to contribute to the overall maintenance of favourable conservation status of those habitats and species at national level. Cork Harbour SPA, Site Code 004030, is located approximately 26 kilometres to the east and downstream of the appeal site.

The appeal site is considered to be a greenfield site within a rural area. Having considered the nature of the proposed development, together with the separation distance to the nearest Natura 2000 site and given the scale of the proposed development, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site

8.0 Recommendation

8.1. I recommend that planning permission should be refused for the proposed development, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

1. Having regard to the location of the site within a Rural Area under Strong Urban Influence as identified in Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the current Cork County Development Plan, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or 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 undermine the growth of nearby designated settlements 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 proper planning and sustainable development of the area.

2. The site of the proposed development is located along a Scenic Route (S38) designated in the current County Development Plan and within a high value landscape of national importance, where emphasis is placed on the protection of such landscapes. Having regard to the sloping topography of the site, the prominent positioning of the proposed development, the degree of cut and fill, together with the scale of the dwelling, it is considered that the proposed development would form an obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape. The proposed development, therefore, would militate against the preservation of the rural environment within this nationally important high value landscape and would, be contrary to the proper planning and sustainable development of the area.

3. The site is adjacent to the Inniscarra reservoir. Therefore, there is a risk of pollution of the reservoir which is a major source of public water supply and the proposed location of the septic tank and percolation area is within the minimum separation distances from a lake/foreshore set by the Environmental Protection Agency's publication Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses. It is considered, therefore, that the proposed development would be prejudicial to public health.

Stephen Rhys Thomas
Planning Inspector

03 April 2017