



An
Bord
Pleanála

Inspector's Report ABP.311509-21

Development	Erect a dwelling house.
Location	Rathard, Kilbonane, Aherla Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	21/5987
Applicant(s)	Nora Spillane
Type of Application	Planning permission
Planning Authority Decision	Refuse
Type of Appeal	First party
Appellant(s)	Nora Spillane
Observer(s)	None.
Date of Site Inspection	3 rd April 2022
Inspector	Mary Kennelly

1.0 Site Location and Description

- 1.1. The site is located in the townland of Rathard, Kilbonane, approx. 1.5km to the south of Aherla village. It is a rural area located to the west of Ballincollig and is situated between Ovens and Farnanes. Aherla is located approx. 2km to the south of the N22, the Cork - Macroom road. The site is accessed by means of a local road which travels south of Aherla towards Kilbonane National School, which is opposite the subject site. This is a rural area which is characterised by farmland with a considerable level of one-off houses. It is in close proximity to Cork City and seems to be one which is under considerable pressure for one-off housing, as evidenced by the extent of single houses in the overall area. The road serving the site is a local rural road which is characterised by several one-off houses in the vicinity of the site. There is an existing cluster of houses in the vicinity of the school.
- 1.2. The site area is given as 0.2ha. The site has frontage to the local road to the east. The site is well screened from the road by means of a high stone ditch with mature hedging and vegetation and some mature trees at the northern end of the roadside boundary. The site is relatively level, but the ground levels generally fall away to the south and east. There is an existing agricultural entrance from the local road on the opposite side of the road about 200m to the south and the national school is opposite to the north.

2.0 Proposed Development

- 2.1. It is proposed to erect a bungalow with a stated floor area of 155.6sq.m. The dwelling would be accessed by means of a new entrance from the local road to the east. It is proposed to provide a septic tank with a percolation area to the rear of the house. The Site Suitability Assessment dates from 2014. The proposed development would be served by a private well from the farm supply. Information submitted with the application include details of family land ownership, the applicant's connection with the area. A letter was enclosed from the applicant's agent in which it was stated that the site was being gifted by the owner to his mother, (the applicant), as the farm holding had been passed on from her to the owner (her son, who farms the land).

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for four reasons, which may be summarised as follows:

Reason 1 – Ribbon Development - Extension of the pattern of ribbon development which would result in an overconcentration of residential development in an unserviced rural area, which would give rise to demands for the uneconomic extension of public facilities and would be contrary to Policy Objective RCI 6-3 of the CDP.

Reason 2 - Visual Impact - Injury to visual amenity and detracting from rural character and landscape by reason of the proposed development's position, height, design and extent of roadside boundary removal and would form an incongruous feature in the landscape. It would contravene policy objectives GI 6-1 and GI 7-4 as well as RCI 6-1 which seek to protect the visual and scenic amenities of the area.

Reason 3 - Rural Area Under Strong Urban Influence – applicant has not demonstrated that she has a rural generated housing need in accordance with the requirements of RCI 4-2 of the CDP.

Reason 4 - Inadequate wastewater treatment – the PA is not satisfied that the proposed system complies with the EPA Code of Practice 2021 Domestic Wastewater Treatment Systems for PE=10 and would therefore be prejudicial to public health.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's initial report (31/08/21) stated that the location of the site is in an **Area Under Strong Urban Influence** in the Cork CDP, Objective **RCI 4-2** applies and that it was considered that the applicant has not complied with the said objective. The Area Planner noted that permission had been refused previously (14/6247) for three reasons, namely contribution to ribbon development, contrary to rural housing policy and visual amenity due to design, scale and position in landscape. It was noted that

the stated owner was Elizabeth Walsh with an address in Kildare and that the farmer (Frank Spillane, current applicant's mother), had written in to say that he was prepared to sterilise the lands to the west and south of the site. Following the refusal, the site seems to have been purchased by Frank Spillane.

The concerns raised by the Area Planner related to the contribution to ribbon development as it would be the 6th house in a 250m stretch of road and the 13th house in 550m. The siting of the house in an elevated position in the landscape and its impact on the landscape and rural character of the area were also raised, particularly as it would form a skyline development. The Area Planner was also concerned about the removal of such a large extent of sod and stone fence and hedgerow (40m) to create the entrance which seemed excessive.

The concerns of the Area Engineer regarding the need for 90m sightlines and the inadequacy of the site suitability assessment were further noted. In terms of the rural Housing Policy, the Area Planner did not accept that the applicant had a genuine rural housing need to live in the area or that the terms of policy RCI 4-2 would be met. Refusal was recommended.

3.2.2. Other Technical Reports

Area Engineer – The Area Engineer expressed concern that the 90m sightlines could not be achieved without the removal of the mature boundary and the consent of the adjoining landowner. A revised layout was required showing 90m sightlines from a 2.4m setback. The proposal to connect to the water supply on the adjoining farm was unacceptable and a new private bored well would be required. The site suitability assessment submitted with the application was undertaken in relation to the previous application (2014) and is considered to be out of date. A new Code of Practice has since been published and it is required that all new applications (submitted after 07/06/21) must comply with this. A revised site layout is required in relation to wastewater treatment as the percolation area is not drawn to an accurate scale.

3.3. Prescribed Bodies

None received.

3.4. **Third Party Observations**

No observations were received.

4.0 **Planning History**

PA Ref. 14/6247 – planning permission **refused** on site for a single dwelling, domestic garage and new entrance – applicants John and Trish Kiely (landowner stated as Elizabeth Walsh with address in Kildare). Permission refused for 3 reasons

1. Extension of pattern of ribbon development and excessive density of development in an unserviced rural area, which would give rise to demands for uneconomic extension of public services and facilities.
2. Site within Rural Housing Control Zone wherein policy RCI 9-2 seeks to strongly discourage new individual housing and applicants have not demonstrated a local rural housing need.
3. Injury to visual amenity by reason of design, scale and siting within the landscape and would constitute an unduly obtrusive feature in the landscape.

5.0 **Policy Context**

5.1. **National Planning Framework**

5.1.1. **National Policy Objective 15** Support the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

5.1.2. **National Policy Objective 19** makes a distinction between areas under urban influence and elsewhere. It seeks to ensure that the provision of single housing in rural areas under urban influence on the basis of demonstrable economic and social housing need to live at the location, and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.2. Sustainable Rural Housing Guidelines for Planning Authorities

These guidelines differentiate between Urban Generated Housing and Rural Generated Housing and directs urban generated housing to towns and cities and lands zoned for such development. Urban generated housing has been identified as development which is haphazard and piecemeal and gives rise to much greater public infrastructure costs. Rural generated housing includes sons and daughters of families living in rural areas and having grown up in the area and perhaps seeking to build their first home near the family place of residence.

5.3. Cork County Development Plan 2014

5.3.1. In terms of Rural Settlement Policy, the site is located within a **Rural Area Under Strong Urban Influence** which is described as one which is within easy commuting distance of Cork City and Environs and is experiencing pressure from the development of urban generated housing in the countryside. It is stated (4.3.6) that these areas exhibit characteristics such as rapidly rising population, evidence of considerable pressure for housing in the open countryside due to proximity to urban areas, major transport corridors, pressure on infrastructure such as the local road network and higher levels of environmental and landscape sensitivity.

Policy RCI 2-1 – Urban generated housing – discourage urban generated housing in rural areas which should normally take place within the larger urban centres or towns, villages and other settlements identified in the settlement network.

Policy RCI 2-2 – Rural generated housing – sustain and renew established rural communities by facilitating those with a rural generated housing need to live within their rural community.

Policy RCI 4-2 Rural Area Under Strong Urban Influence – applicants must satisfy the P.A. 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 comply with one of the following categories of housing need

- 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 ownership and running of a farm on a full-time 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 full time 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 7 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.

Policy RCI 6-1 Design and Landscaping of New Dwelling Houses in Rural Areas –

- a) Encourage new dwelling house designs that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.
- b) Promote sustainable approaches to dwelling house design by encouraging proposals to be energy efficient in their design, layout and siting.
- c) Require the appropriate landscaping and screen planting of proposed developments by using predominantly indigenous/local species and groupings.

Policy RCI 6-3 Ribbon Development – Presumption against development which would contribute to or exacerbate ribbon development.

Objective GI 6-1: Landscape.

- (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 land-use proposals, ensuring that a pro-active 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 7-4: Development on the approaches to Towns and Villages

Ensure that the approach roads to towns and villages are protected from inappropriate development, which would detract from the setting and historic character of these settlements.

5.4. Natural Heritage Designations

There are no European Sites in the vicinity of the site. The closest Natura sites are

- The Gearagh SAC (Site Code 000108) approx. 16km to northwest
- The Gearagh SPA (004109) approx. 16km to the northwest.

6.0 The Appeal

6.1. Grounds of Appeal

The main points raised may be summarised as follows:

1. **Rural Housing policy** -The site is located within an Area Under Strong Urban Influence for which the policy is RCI 4-2 in the CDP. The applicant complies with the criteria for such areas, as RCI 4-2 provides for people who are genuinely intending to take up permanent residence in the area that they live in/grew up in, to care for some other bone fide reason. There should be no restrictions under

this policy for people who have spent a substantial period of their lives in the local area. Although it was stated in the letter of 25/05/21 that the applicant had signed the farm over to her son Frank, this is not correct as Nora's husband had already left the farm to their son Frank.

2. **Ribbon development** – The proposed development would not result in the creation of ribbon development. It is merely a simple bungalow which is adjoining existing development and across the road from the school.
3. **Removal of hedgerows due to potential traffic hazard** – the local road is narrow, and it is proposed to widen it by removing the fence to improve sightlines and car parking which will benefit the school. The road is straight at this point.
4. **Visual Impact** – the proposed design of the dwelling is for a very simple bungalow which is not excessive in size or height and will not detract from the visual amenities or rural character of the area. It is not haphazard but merely an extension of the existing development. The materials are traditional and are in keeping with the existing development in the area.
5. **Water and sewerage** – The water supply will be from their existing farm which will not be a problem. The proposed wastewater treatment system is not a conventional septic tank but will be an up-to-date wastewater treatment plant with extensive percolation piping

6.2. Planning Authority Response

The P.A. has not responded to the grounds of appeal.

7.0 Planning Assessment

7.1. It is considered that the main issues arising from the appeal are as follows: -

- Rural Settlement Policy
- Ribbon development
- Traffic hazard and adequacy of access
- Landscape and visual amenity
- Adequacy of wastewater treatment and water supply

7.2. Compliance with Rural Settlement Policy

7.2.1. The site is located in a Rural Area Under Strong Urban Influence, due to its proximity to Cork City and Environs. Such areas have been identified in the CDP due to the intense pressure that they have sustained for urban generated development in a rural area. It is clear that the area within which the site is located is one which has experienced intense pressure for one-off housing, as evidenced by the proliferation of such development throughout the area.

7.2.2. The CDP rural housing policies (Chapter 4) seek to facilitate housing need requirements of rural communities, particularly for immediate family members on family farms/landholdings, while directing urban generated housing into towns and villages. The policy in Areas Under Strong Urban Pressure (RCI 4-2) is a little more restrictive in that the applicant must show a genuine rural housing need in the area. This can be demonstrated if the applicant is the owner of a landholding, or taking over ownership and running of the farm, on a full time basis, or the applicant is engaged full-time in working in farming, forestry or in essential rural activities for at least 7 years in the local area where they work, or has spent a substantial period (7 years) of their lives living in the particular rural area and wish to build their first home. The final criterion is where the application is being made by a 'returning emigrants' who wish to live in the local rural area in which they have spent a substantial period of time (min. 7 years) for either family or work reasons or to retire.

7.2.3. The Sustainable Rural Housing Guidelines (2005) state that development driven by urban areas should take place within the built-up areas, and that a distinction should be drawn between development that is needed to sustain rural communities and that which tends to take place in the environs of towns, which should be more appropriately take place within urban areas. The Guidelines also state that urban generated housing can give rise to haphazard and piecemeal development with problems such as disorderly and inefficient patterns of development, obstruction of alignment of future infrastructure projects, undermining of investment in infrastructure and higher public expenditure. Such development is clearly unsustainable and is likely to create additional and unnecessary problems for the supply of infrastructure and services and to increase car dependency and high energy use.

7.2.4. The policies set out in the Sustainable Rural Housing Guidelines have been reinforced in the more recently published National Framework Plan (2018). Relevant policies include National Policy Objective 15, which seeks to support the sustainable development of rural areas by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities. National Policy Objective 19 seeks to ensure that in providing for the development of rural housing, that a distinction is made between areas under urban influence (i.e., within the commuter catchment of cities and large towns) and elsewhere. In rural areas under strong urban influence, it is the policy to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic and social need to live in a rural area, having regard to the viability of small towns and rural settings. Thus, it continues to be necessary to demonstrate a functional economic or social requirement for housing need in these areas that are under intense pressure.

7.2.5. It is clear therefore, that the overall settlement strategy, which is consistently expressed in the hierarchy of national and local policies and plans, is to seek to prevent urban sprawl and to ensure that development takes place in appropriate locations in a sustainable manner which protects the vibrancy of rural communities, but in such a way that it does not give rise to long term problems for both the urban centres and for the rural environment. It is equally clear that the area in which the site is located is one which has been subjected to very intense pressure in the recent past.

7.2.6. The applicant's housing need does not accord with any of the criteria set out in RCI 4-2. She is not the owner or operator of the landholding, is not engaged full-time in either farming, forestry, or other rural-based activities and is not a returning emigrant. However, she has spent a considerable period of her life in this local area (54 years), but she is not seeking to build and occupy her first home, as she has lived in her own home on the landholding and continues to live there at present. The grounds of appeal state that the farm was passed to her son when her husband died in 2011 and that she has continued to live in the farmhouse, but now wishes to build her own home. She also helps out on the farm and helps her daughter who lives in Ballinagree, and who has multiple sclerosis. According to Google Maps, this location is 26 km away on the far side of the N22.

7.2.7. It is clear from the evidence provided that the applicant has lived in the local rural area and that she has strong connections with the local community. However, she is not in full-time employment with economic ties to the rural area and there is no 'work reason' for her to live in the local area. On the basis of the information provided, it is considered that the applicant has not demonstrated a rural generated housing need or any economic or social need to live in this particular area. It is further considered that the housing need could easily be accommodated within one of the nearby settlements, such as Aherla or Ovens or in an existing house on the market within the overall area. The area has come under sustained pressure in recent times for this type of housing, such that the vibrancy of the rural community is not likely to be under any threat of decline. The applicant has not, therefore, demonstrated that she can meet the requirements of the settlement policy as set out in RCI 4-2.

7.2.8. Thus, in conclusion, it is considered that the applicant has no genuine rural housing need within this local area and that her housing needs could be met within an existing settlement within the overall area. It is considered that the established rural settlement policies for the area, which seek to avoid the overdevelopment of rural areas under strong urban influence, and to direct such development to towns and villages, would be contravened. The proposed development would, therefore, be in conflict with the provisions of the National Framework Plan (2018), the Sustainable Rural Housing Guidelines for Planning Authorities (2005) and the Cork County Development Plan 2014 and should be refused.

7.3. Ribbon Development

7.3.1. The appeal site is located to the south of a continuous ribbon of approx. 14 dwelling houses on the western side of the road and a further 7 houses on the eastern side of the same stretch of road. There are a further 5 or 6 houses on either side of the T-junction to the south. Notwithstanding this high density cluster of single houses in a rural area, the cluster of houses is located approx. 1.5km outside the village of Aherla, from which further ribbons of development radiate outwards. The existing excessively high level of individual houses in this unserved rural area was highlighted in 2014 when planning permission was previously sought for a house on the site (14/6247). In the planning reports relating to that file (on the P.A. website), the serious concern regarding the density and concentration of development that

already existed was clearly stated, and the development of the subject site was considered to extend the ribbon of development southwards into an unspoilt agricultural field. At that time, there were 12 houses on the same side of the road and a ribbon of 18 existing and permitted dwellings, according to the reports, to the north of the site.

7.3.2. The area in which the site is located is, therefore, one where a very high density of development has been problematic for some time and the situation has worsened in the intervening period. National and local policy, (in terms of the Sustainable Rural Housing Guidelines and the CDP policy RCI 6-3), recommend against ribbon development for several reasons. These include undermining the investment in public infrastructure such as roads, while simultaneously creating additional demand for the supply of infrastructure, (including electricity supply, postal services, water and sewerage services). In addition, environmental problems arise from high density of development of individual houses served by septic tanks, as well as issues such as creating traffic hazards and the erosion of the rural character of an area and its landscape. Furthermore, such development tends to increase car dependency and high energy use which result in unsustainable patterns of development.

7.3.3. The proposed development would undoubtedly extend an existing ribbon of development towards the T-junction to the south, where two houses have been constructed around the corner. There is currently a gap of c.200m between the ribbon of development and the T-junction, which is characterised by good quality agricultural land which is being actively farmed. The proposed development, given the pattern of development in the area, would extend the existing pattern of development which would contravene policy objective RCI 6-3 which states that there is a presumption against development which would contribute to or exacerbate ribbon development. I can see no justification for extending the ribbon of development into the unspoilt agricultural lands at this location. The road serving the site is of poor quality and substandard width, there is an excessive number of houses served by private wastewater treatment plants and increasing the high density of development would erode the rural character of the area. The proposal would also lead to increasing demands for facilities and services which would result in unsustainable patterns of development. The proposal should therefore be refused.

7.4. Traffic hazard and adequacy of access

- 7.4.1. The local road serving the site is seriously sub-standard in terms width and alignment and in respect of the forward visibility from both the northern and southern approaches to the site. The road is moderately trafficked, given that it is within commuting distance of Cork City and any additional traffic movements at this location would put further pressure on it and would contribute to a traffic hazard.
- 7.4.2. The applicant proposes to remove the roadside boundary entirely and to set back the boundary with a new stone wall. This will result in the loss of the mature trees at the northern end of the boundary and the substantial sod and stone fence along the roadside. The Area Engineer states that 90m sightlines must be achieved but that this would require the setting back and realignment of the boundary. However, it is considered that the provision of safe and adequate access is likely to necessitate the removal of a substantial portion of the sod and stone fence and the potential loss of one or more trees. It will also require the continued maintenance of the vegetation so that it would not interfere with the sightline triangle in the future, and may require the consent of the adjoining landowner, which is an onerous commitment.
- 7.4.3. The entrance is located on a short stretch of road between two bends with limited visibility in a northerly direction, where there are several existing residential and agricultural entrances, as well as a national school which is opposite the site. These factors, together with the narrow width and winding nature of the road as well as the reasonably busy traffic flow on this rural road, combine to create a significant traffic hazard in my view. It is considered, therefore, that the additional turning movements generated by the proposed development at this location would endanger public safety by reason of traffic hazard, notwithstanding the proposed improvements to the sightlines.
- 7.4.4. It is noted that this issue did not form one of the reasons for refusal of the planning authority's decision. As such, the Board may consider it to be a new issue. However, I note that this issue was raised in the Planner's report (page 20). The Board may, therefore, wish to serve a notice in order to consult the parties to seek their views, should it wish to rely on this issue as a reason for refusal.

7.5. Landscape and visual amenity

7.5.1. The landscape in which the site is located is an attractive rural area characterised by rich agricultural lands with mature hedgerows and trees lining the narrow roads. The stretch of road along which the site is located is slightly winding and accommodates several farmhouses. The road frontage within which the site is located includes several mature trees, some of which are on the boundary of the appeal site. As stated above, due to the substandard nature of the road from a safety point of view, the proposed development will necessitate the removal of a significant portion of the mature boundary including the potential loss of trees. It is considered that the loss of this mature vegetation which currently contributes positively to the attractive rural character of the area would have a detrimental impact on the visual amenity of the area. This aspect of the proposed development would have a detrimental impact on the attractive rural landscape and would militate against the preservation of the rural environment.

7.5.2. The planning authority has also raised concerns regarding the siting, scale and design of the proposed dwelling which it is stated would result in a visually obtrusive development on an elevated site and would amount to 'skyline development'. It was pointed out that the site of the proposed house would be prominent when viewed from the south. I would agree that the proposed dwelling would be sited on a ridge which would have the effect of bringing the cluster of residential development into view from the south, where the character of the landscape is still relatively unspoilt. It would also result in an unduly obtrusive feature in the landscape due to the siting and scale of the proposed dwelling.

7.5.3. It is further noted that the introduction of the proposed dwelling at this location would extend an existing suburban pattern of development with a high concentration of existing one-off dwellings in the vicinity, as discussed above. Therefore, taken together with the existing and permitted development in the vicinity, I would accept that the proposal would result in an excessive density of development which would militate against the preservation of the rural character of the area.

7.5.4. In conclusion, given the siting and scale of the development on an elevated ridge at the edge of an existing concentration of residential development along the roadside, as well as the necessity to remove the extensive mature vegetation alongside the

public road and the potential loss or damage to the mature roadside trees which make a significant contribution to the visual amenity and rural character of the area, together with the perpetuation of the suburban pattern of development in the vicinity, would result in an inappropriate form of development which would militate against the preservation of the rural environment at this location. It would also result in serious injury to the visual amenities of the area.

7.6. Adequacy of wastewater treatment and water supply

7.6.1. The planning authority reports have pointed out that the proposed development relies on a Site Suitability Assessment carried out in 2014 which had accompanied a previous planning application (14/6247). Furthermore, the submitted drawings of the percolation area were not to scale. This was considered to be inadequate as the proposed development was submitted on the 16th of July 2021, which was after the specified date of 7th of June 2021 after which all new applications are required to comply with the recently published EPA Code of Practice – Domestic Wastewater Treatment systems for PE10. I would agree that the information provided in the submissions is inadequate to make a determination on this issue.

7.6.2. It is further noted that the proposed water supply is from the adjoining farm. Although the applicant is related to the current landowner/farmer, this is not considered to be a sustainable solution and should be revised.

7.7. Environmental Impact Assessment

7.7.1. The proposed development is for the construction of a single dwelling house, a garage and a private wastewater treatment system on a greenfield site in a rural area. Having regard to the nature, size and location of the proposed development, and to the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.8. Appropriate Assessment

7.8.1. The P.A. reports screened out appropriate assessment. It is noted that the closest European sites are The Gearagh SAC (Site Code 000108) and The Gearagh SPA

(004109), which are located c.16km to the northwest. There is no known hydrological link to the SPA or the SAC. Given the small scale of the development, the distances involved, and the absence of any indication of a hydrological link to the European sites, it is considered that Appropriate Assessment issues can be ruled out at this stage.

8.0 Recommendation

- 8.1. It is recommended that planning permission be **refused** for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Having regard to the location of the site within an Area Under Strong Urban Influence, as identified in the current Cork County Development Plan and in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of Environment, Heritage and Local Government (2005), and to the National Policy Objective 19 of the National Planning Framework, which seeks to ensure that the provision of single housing in rural areas under urban influence are provided based on demonstrable economic or social need to live in a rural area, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in the Development Plan and does not comply with National Policy Objective 19. The proposed development, in the absence of any identified locally based need for the house, would contribute to an intensification 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, therefore, contravene the policies contained in the National Framework Plan (2018), the Sustainable Rural Housing Guidelines (2005) and the Cork County Development Plan (2014) and would be contrary to the proper planning and sustainable development of the area.

2. The site is located within an attractive rural landscape characterised by mature trees and hedgerows and where the overall area has been subject to intense development pressure in recent years, with an extensive ribbon of development to the north of the site. Having regard to the large scale and overly suburban design of the proposed dwelling, the siting of the development on an elevated ridge, combined with the need to remove an extensive amount of mature roadside vegetation, and taken in conjunction with the existing concentration of ribbon development in the vicinity, it is considered that the proposed development would result in a discordant feature which would fail to adequately integrate into the landscape, would extend the pattern of suburban and ribbon development and militate against the preservation of the rural environment and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site is located at the end of a row of single houses each with an individual entrance and is sited opposite a busy national school and adjacent to a bend on a minor local road which is substandard in terms of width and alignment and where sightlines are poor in a northerly direction. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements it would generate on this poorly aligned and substandard road network.

4. Having regard to the high concentration of development served by private wastewater treatment systems in the area, and to the failure to demonstrate compliance with the EPA Code of Practice 2021 Domestic Waste water Treatment Systems for PE 10, the Board is not satisfied, on the basis of the submissions made in connection with the application and appeal, that the site can be drained satisfactorily by means of a septic tanks, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.

Mary Kennelly
Senior Planning Inspector

8th April 2022