

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2009

**Cork County**

**Planning Register Reference Number: 08/9457**

An Bord Pleanála Reference Number: PL 04.235253

**APPEAL** by Barry and Sinead Kiely of Simla Villa, Glenbrook, Passage West, County Cork and by others and by Haswell Properties care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 12<sup>th</sup> day of October, 2009 by Cork County Council to grant subject to conditions a permission to the said Haswell Properties in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Site clearance and change of use of the former Bus Depot to a mixed use development comprising two number blocks ranging in height from three to four storeys consisting of the following: 23 number residential units (three number one bedroom apartments, 17 number two bedroom apartments and three number three bedroom townhouses); a 121 square metre retail unit at ground level; 19 number car parking spaces and loading bay at ground level fronting the public road and 42 number car parking spaces at sub-ground level (basement). The development includes access ramp to basement carpark, hard and soft landscaping, bin stores and all associated works including associated site works and services including effluent treatment unit. The site is located in the townland of Maulbaun, Glenbrook, Passage West, County Cork, with the eastern boundary fronting onto both Charlotte and Bath Terrace.

## **DECISION**

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

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

The proposed development would be premature by reference to an existing deficiency in the provision of public sewerage facilities and the period within which this constraint may reasonably be expected to cease. Furthermore, having regard to the inadequate separation distances between the proposed wastewater treatment plant and the proposed and existing residential properties, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that it has been demonstrated satisfactorily that the proposed development would not be prejudicial to public health or would not seriously injure the amenities of the area or of existing and proposed residential development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2010.**