



An
Bord
Pleanála

Board Direction
BD-019708-25
ABP-313642-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/05/2025.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

Objective 11.2 Dwelling Size Mix and Table 11.9 of the Cork City Development Plan 2022-2028 sets out clear unit mix requirements to be adhered to, except in exceptional circumstances when justification is provided and flexibility is provided according to the ranges specified. The applicant did not provide a justification for the unit mix proposed.

The development is therefore considered to materially contravene the Development Plan in relation to the provision of unit mix requirements. This issue has not been addressed in the applicant's Material Contravention Statement and the subject application, therefore, does not meet the requirements of section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended). The Board, therefore, cannot invoke section 37(2)(b) of the Planning and Development Act 2000 (as amended) and is precluded from granting permission

Note

The Board noted the request from an observer for an Oral Hearing but agreed with the Inspector's advice that there was sufficient information on file to allow for a proper and full assessment of the case without recourse to an oral hearing.

Board Member



Declan Moore

Date: 20/05/2025