

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Cork County**

**Planning Register Reference Number: 16/05285**

An Bord Pleanála Reference Number: PL 04.247399

**APPEAL** by Carol Condon and others of 14 Mariners View, Church Hill, Passage West, County Cork against the decision made on the 26<sup>th</sup> day of September, 2016 by Cork County Council to grant subject to conditions a permission to Montip Horizon Limited care of McCutcheon Halley Walsh of 6 Joyce House, Barrack Square, Ballincollig, County Cork.

**PROPOSED DEVELOPMENT:** A development of 26 number residential units and all ancillary car parking, fencing and walls, cycle spaces, bin stores, landscaping and site development works. The proposed development includes the construction of six number two-storey terraced houses and 20 number apartments over three storeys consisting of 10 number duplex apartments with first floor terraces over 10 number ground floor apartments. The proposed site development works includes the demolition of existing walls, the demolition and site clearance of the remnants of two number former outbuildings, and modifications to the existing vehicle access at Mariner's View. All at Maulbaun, Passage West, County Cork.

## **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**

Notwithstanding the zoning of the subject site, and the general desirability of promoting increased residential densities, as provided for in the current Development Plan for the area, and having regard to the pattern of development in the vicinity and the planning history of the site, it is considered that the proposed development, by reason of its layout, scale and design, would:-

- conflict with the provisions of the current Development Plan for the area and with the minimum standards provided for in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in December, 2008, including the mandatory Specific Planning Policy Requirements in the Updated Apartment Guidelines 2015, under the Planning and Development (Amendment) Act 2015;
- result in an inadequate quality and quantity of usable private open space to serve the proposed development, and in particular the proposed duplex apartments; and
- give rise to substandard residential amenity for future occupiers.

The proposed development would accordingly fail to provide an appropriate design response to the context of this elevated site, would adversely impact on the visual amenities of the area, and would constitute a substandard form of development that would seriously injure the residential amenities of the area, including the residential amenities of future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

---

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

**Dated this            day of            2017.**