



An
Bord
Pleanála

Board Order
PL 04.249311

Planning and Development Acts 2000 to 2017

Planning Authority: Cork County Council

Planning Register Reference Number: 17/05778

Appeal by Maurice and Mary Bergin of 44 Dewberry, Mount Oval Village, Rochestown, Cork against the decision made on the 4th day of September, 2017 by Cork County Council to refuse permission to O'Flynn Construction Company Limited care of Hogan Associates of The Lodge, Proby's Quay, Cork.

Proposed Development Removal of condition number 16 of residential development granted under planning register reference number 08/5912 which specified that 'the pedestrian linkage with Dewberry, as provided on the site layout, shall be provided as an integral part of the development'. This application seeks to allow for the omission of this linkage, all at Dewberry/Dunkerrin, Mount Oval Village, Rochestown, County Cork.

Decision

REFUSE permission for the above proposed development in accordance with 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, by reason of the omission of an approved pedestrian linkage, materially contravene a condition attached to an existing permission for development namely, condition number 16 attached to the permission granted by Cork County Council under planning register reference 08/5912 and would be contrary to the "Sustainable Residential Development in Urban Areas (Cities, Towns and Villages)" issued by the Department of the Environment, Heritage and Local Government in May, 2009.

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

Dated this day of 2018