



An
Bord
Pleanála

**Board Order
PL 04.249312**

Planning and Development Acts 2000 to 2017

Planning Authority: Cork County Council

Planning Register Reference Number: 17/05670

Appeal by Tom Barry care of O'Carroll and Fitzgerald Project and Commercial Management Limited of Unit 19 Charleville Town Centre, Charleville, County Cork against the decision made on the 28th day of August, 2017 by Cork County Council to refuse permission.

Proposed Development: Construction of residential development of four number two-storey two bedroomed dwellings and all associated site works consisting of the removal of front boundary wall to the south and construction of a new boundary wall, removal of the eastern boundary ditch to allow for the construction of a new connecting public footpath and all associated drainage and site works at Rock Road, Mallow, 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

1. Having regard to the restricted nature and prominent location of this corner site and the established pattern of development in the surrounding area, it is considered that the proposed development, by reason of its scale, form, design, and relationship with adjoining properties and the surrounding area, would be out of character with the pattern of development in the vicinity, would constitute a visually discordant feature within the streetscape, and would constitute overdevelopment of the site. Furthermore, the level of amenity available to future occupants – in terms of amenity to the front and rear of the dwellings, and outlook from the units – would not be satisfactory. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of the traffic movements likely to be generated by the proposed development and the deficiencies in the adjoining road network, in particular, the adjoining laneway and its junction with Rock Road, would create a traffic hazard. This is exacerbated by a cramped and impractical parking layout. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board is not satisfied that the applicant has sufficient legal interest in the lane (from which access is proposed) in order to complete the development as proposed. In these circumstances it would be inappropriate to consider a grant of planning permission.

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

Dated this day of 2018