



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/06518

APPEAL by Dunboy Construction and Property Developers Limited care of Joe Bonner, Town Planning Consultants Limited of The Airport Hub, Unit 1, Furry Park Industrial Estate, Old Swords Road, Santry, Dublin against the decision made on the 16th day of November, 2018 by Cork County Council to refuse permission.

Proposed Development: The construction of six houses consisting of four number four bedroom semi-detached houses and two number three bedroom semi-detached houses, as part of the existing Ard Aoibhinn housing development which is currently under construction (permitted by Planning Register Reference Numbers 99/5878 and 14/4845), connection to the existing temporary wastewater treatment plant serving Ard Aoibhinn (permitted by Planning Register Reference Number 07/10356), all associated site development works and services. The development will replace house number 39 and public open space previously permitted under Planning Register Reference Number 99/5878 at Ard Aoibhinn, Laherfineen, Inishannon, 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 Board had regard to the impact of open spaces to the overall environment of the housing estate, and considered that the proposed development would materially contravene the terms and conditions of the parent planning permission for the overall residential estate (planning register reference number 99/5878) as the development would encroach on lands which have been designated as public open space serving the overall estate. The Board considered that a grant of planning permission would set an undesirable precedent for similar type developments in this residential estate.

Furthermore, the proposed development, by reason of its elevated position above the local road, layout and design of houses and by reason of its close proximity to the existing dwelling to the south, would be out of character with the pattern of development in the area, would be overbearing on the existing dwelling and would seriously injure the residential amenities of this dwelling and the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board disagreed with the Inspector's assessment that the proposed omission of the public open space from the overall scheme would not have a material and adverse impact on the residential amenities of the estate and that properties would not be adversely impacted by way of overlooking.

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

Dated this day of 2019.