



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/06073

Application for Leave to Appeal against the decision of the planning authority by Annemount Management Company Limited by Guarantee care of Joe Bonner of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin, having an interest in land adjoining the land in respect of which Cork County Council decided on the 20th day of February, 2019 to grant subject to conditions a permission to Hobleton Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development: Modifications to the residential scheme permitted under planning register reference number 06/11830 and extended by planning register reference numbers 12/4124 and 17/6075. The proposed modifications will include: 1.) the replacement of the permitted 56 number houses and 36 number apartments with the construction of 92 number houses, 2.) the realignment of the link road, and 3.) all ancillary development works at Rathbeg, Abbey-Lands, Kinsale, County Cork. Access to the proposed development will be the existing access via Abbey Lane and via the permitted access at the Bandon Road.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority to which the grant is subject, and

- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2019.