



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/05762

APPEAL by Dunboy Construction and Property Developers Limited care of Joe Bonner of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin against the decision made on the 4th day of September, 2019 by Cork County Council to refuse permission.

Proposed Development: Construction of six houses consisting of four number four-bed semi-detached houses and two number three-bed 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 waste water 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, all at Ard Aoibhinn, Laherfineen, Innishannon, 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. The site of the proposed development comprises an area of designated public open space in accordance with permission granted under planning register reference number 99/5878 and which forms part of the development of the residential estate of Ard Aoibhinn. It is considered that the proposed development, resulting in a significant reduction in the usable public open space serving the estate, would be contrary to that permission (99/5878) which governs the development of the estate and which requires the site area to be developed and maintained as public open space, would result in a substantial reduction in the amenities for the residents of the estate, would seriously injure the residential and visual amenities of the area, and would set an undesirable precedent for further inappropriate development of this kind in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the elevated nature of the site, the layout, scale and orientation of the proposed houses, the proposed finished floor levels, the building height, and proximity of the proposed houses to the public road and neighbouring dwelling to the south, it is considered that the proposed development would constitute prominent and visually obtrusive development and would, thereby, seriously injure the visual amenities of the area and have an overbearing impact on the dwelling to the south. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.