



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/06224

APPEAL by Cumnor Construction Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 4th day of November, 2019 by Cork County Council to refuse permission for the proposed development.

Proposed Development: A change of use from a crèche (as permitted by reference number 14/6792) to use as offices for communal /enterprise/individual(s) use, modifications to the rear façade and all associated ancillary site development works, landscaping and signage at the former Saint Joseph's Convent of Mercy, Town-Plots (townland), The Ramparts, Kinsale, 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

Having regard to the planning history of the site and to the pattern of development in Kinsale, it is considered that the proposed change of use, notwithstanding the information submitted in relation to the availability of childcare facilities in Kinsale, would contravene Policy Objective HCSR4 of the Kinsale Town Plan 2009 (as extended) and with Childcare Facilities - Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2001 which requires one childcare facility accommodating 20 children for approximately 75 dwellings. The proposed development would 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 did not agree that the demand generated by the occupied dwellings is already being met within the Kinsale area or that the proposed change of use would not materially contravene Policy Objective HCSR4 of the Kinsale Town Plan 2009.

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

Dated this day of 2020.