



Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/05236

APPEAL by Dunboy Construction and Property Developers Limited care of Joe Bonner Town Planning Consultant of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin against the decision made on the 12th day of August, 2020 by Cork County Council to refuse permission.

Proposed Development: Construction of four 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 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 amend the public open space previously permitted under planning register reference number 99/5878, all 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

1. The site is located within Ard Aoibhinn housing estate wherein the design and layout of the public open space provision, as permitted under planning register reference number 99/5878, forms an integral component in the urban design of the estate. Having regard to the location of the site on one of principal sites designated, and required to be developed and maintained under this permission, as an area of public open space, it is considered that the proposed development would result in the loss of a valuable green space which fulfils an important recreational and amenity function within the estate, notwithstanding the proposal to provide an alternative area of open space at the northern extremity which would be remote and poorly overlooked, and the fact that the designated area of open space has not yet been provided. The proposed development would, therefore, be contrary to the permission (planning register reference number 99/5878) which governs the development of the estate, would result in a significant reduction in the amenities for the residents of the estate, would seriously injure the residential amenities of the area and would set an undesirable precedent for further development of a similar nature 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 prominently visible and elevated nature of the site, together with the steep topography of the surrounding area, to the proposed building height and finished floor levels, to the uncertainty regarding the gradient of the road, and to the proximity of the proposed houses to the public road, which houses would replace a landscaped buffer space, it is considered that the proposed development would result in an prominent and visually obtrusive feature which would be out of character with the established pattern of development in the area, notwithstanding the proposal to retain and augment the boundary screening. The proposed development would, therefore, seriously injure the visual amenities of the area and would 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 2021.