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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/06606**

**APPEAL** by Ronan O'Donoghue care of Howick, O'Brien and Company Limited of 14 College Court, Cashel Road, Cahir, County Tipperary against the decision made on the 17<sup>th</sup> day of November, 2021 by Cork County Council to refuse permission to Ronan O'Donoghue.

**Proposed Development** Change of use of existing holiday home to dwelling with permanent residence, all at Number 19 Courseside Lodges, Fota Island Resort, Foaty Island, 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 proposed change of use of an existing single holiday home within the established Fota Island Resort to permanent residence, would materially contravene condition number 46 of planning register reference number 03/2631, which explicitly provides that the proposed houses shall not be used as permanent or principal residences. A grant of planning permission in this regard, would set an undesirable precedent for similar proposals and would, therefore, be contrary to the proper planning and sustainable development of the area.

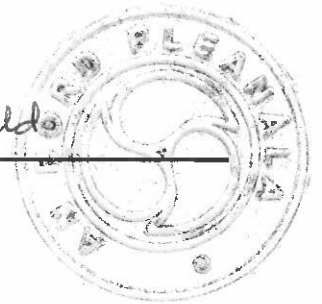
2. The subject site lies within the wider Fota Island Resort, and the Cobh Municipal District Local Area Plan, 2017 recognises the significant value of the estate's unique tourism, leisure and recreational function. The Local Area Plan makes allowance to accommodate appropriate tourism and recreation related proposals for the expansion or intensification of the existing uses. The Board is satisfied that the proposed change of use of the single dwelling within the holiday let development would undermine the unique tourism, leisure and recreational function of the resort, and would be contrary to the Local Area Plan objective for the Island. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this *25<sup>th</sup>* day of *April* 2022.