



Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 21/04059

Appeal by Castle Rock Homes (Bandon) Limited care of HW Planning of 5 Joyce house, Barrack Square, Ballincollig, Cork against the decision made on the 13th day of January, 2022 by Cork County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a residential development of 65 number units and a two-storey crèche with ancillary surface car park, bicycle parking racks, bin stores and all associated site development works. The proposed development provides for the construction of 49 number two-storey dwellinghouses (23 number of which have an option for an alternative house type design) consisting of seven number four bedroom detached dwellinghouses, 12 number four bedroom semi-detached dwellinghouses, 18 number three bedroom semi-detached dwellinghouses, six number three bedroom townhouses and six number two bedroom townhouses. The proposed development also consists of the construction of 16 number two bedroom apartment/duplex units contained in four number three-storey apartment buildings. Vehicular access to the proposed residential development will be provided via a new junction from the Cork Road (L-2040)

with a separate vehicular entrance provided to serve the proposed crèche facility. A separate pedestrian access point is also provided to the south-west of the site. The proposed development also provides for upgrades to the Cork Road from the subject site to the junction of the Cork Road and Watergate Street to the south. Proposed upgrades include the provision of footpaths, a pedestrian crossing and traffic calming measures, all at Knockbrogan, Bandon, County Cork.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the specific provisions of the Bandon Kinsale Municipal District LAP 2017 as it relates to Bandon, and in particular, the zoning objective BD-R-06 afforded to the subject site, the layout and design of the proposed development, planning history of the site and the topography of the site, it is considered that the inclusion of condition number 2, as set out in the planning authority's decision to grant planning permission for the residential development, is both reasonable and necessary to ensure the protection of the visual amenity of the wider area and the implementation of the zoning objective in terms of ensuring the assimilation of the scheme into the hillside.

In addition, it is considered that the inclusion of condition 2 will ensure appropriate levels of useable public amenity space in the southern area of the development, and to the south of the link road, in the interest of visual amenity and 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 14th day of June 2022.

