



An
Coimisiún
Pleanála

Commission Order ABP-313216-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 4th day of April 2022 by Estuary View Enterprises 2020 Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development comprises of the following:

- (a) The construction of a residential development of 280 number residential apartment units with supporting tenant amenity facilities, café, crèche, and all ancillary site development works. The proposed development includes 280 number apartments to be provided as follows:
- Block A - six number studio apartments, 14 number one-bedroom, 34 number two-bedroom and one number three-bedroom over one to six storeys;
 - Block B - 37 number one-bedroom and 49 number two-bedroom over six to ten storeys;
 - Block C - 31 number one-bedroom, 36 number two-bedroom and six number three-bedroom over five to nine storeys and;
 - Block D - 30 number one-bedroom, 31 number two-bedroom and five number three-bedroom over six to seven storeys.

- (b) The proposal includes a new pedestrian and bicycle bridge over the adjoining Passage West Greenway to the east, connecting into the existing down ramp from Mahon providing direct access to the greenway and wider areas.
- (c) The proposed development provides for outdoor amenity areas, landscaping, under podium and street car parking, bicycle parking, bin stores, two number substations one of which is single storey free standing, a single storey carpark access building, public lighting, roof mounted solar panels, wastewater infrastructure including new inlet sewer to the Bessborough Wastewater Pumping Station to the west, surface water attenuation, water utility services and all ancillary site development works.
- (d) Vehicular access to the proposed development will be provided via the existing access road off the Bessboro Road. Part of the proposed development is situated within the curtilage of Bessborough House which is a Protected Structure (Record of Protected Structure Reference Number: 490) All located at Bessborough, Ballinure, Blackrock, County Cork.

Decision

Refuse permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

1. Objective 11.2 Dwelling Size Mix and Table 11.8 of the Cork City Development Plan 2022-2028 set out clear unit mix requirements to be adhered to except in exceptional circumstances where justification is provided. The unit mix proposed does not meet the target levels set out under Table 11.8 for any of the proposed unit types and does not conform to the unit mix ranges that would be acceptable subject to adequate justification on the basis

of market based evidence. No Statement of Housing Mix in accordance with Objective PO1 of the Housing Strategy and Housing Need Demand Assessment of the Supporting Studies accompanying of the Cork City Development Plan 2022-2028 has been submitted and, therefore, no justification has been provided in relation to the unit mix proposed. The Commission is therefore not satisfied that the proposed development meets the requirements of these objectives. The Commission considers that the proposed development materially contravenes the Development Plan in relation to the provision of unit mix requirements. This issue has not been addressed in the applicant's Material Contravention Statement and the subject application, and therefore, does not meet the requirements of section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended. The Commission, therefore, cannot invoke section 37(2)(b) of the Planning and Development Act 2000, as amended and is precluded from granting permission.

2. It is considered that the proposed development by reason of its excessive and sustained scale, bulk and mass in combination with height, and the consequent plot ratio, would be visually obtrusive when viewed from various viewpoints in the immediate vicinity within and adjoining the site. The proposed development is incongruous, would constitute a substandard form of development and would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

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Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *23rd* day of *July*, 2025