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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/5565**

**Appeal** by Michael and Lucy O'Mahony care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 3<sup>rd</sup> day of May, 2022 by Cork County Council to grant subject to conditions a permission to the said Michael and Lucy O'Mahony in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of 20 number dwellings comprising two number two-bedroom semi-detached units, 16 number three-bedroom semi-detached units, and two number four-bedroom detached units. The proposed development will be accessed from the existing Castleoaks development and the proposal includes for the part demolition of an existing wall to create a site access. The proposal also includes for open space, landscaping, boundary treatments, solar panels and all necessary site services and ancillary works to facilitate the development, all at Gully, Bandon, County Cork.

## Decision

Having regard to the nature of the conditions 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, as amended, to ATTACH condition numbers 2 and 3 and the reasons therefor.

## Reasons and Considerations

Having regard to the location of the site on zoned, serviced land in Bandon town, the design and layout of the proposed housing scheme and the presence of mature trees along the western boundary of the site, and overall compliance with Objective BE 15-6 in the Cork County Development Plan 2022-2028, the Board considered that the development, with condition numbers 2 and 3 attached, would accord with the proper planning and sustainable development of the area. The Board considered the development would otherwise have a significant negative impact on the residential amenity of the area and on the setting/curtilage of the protected structure to the southwest of the appeal site and therefore, that the attachment of the planning authority's condition numbers 2 and 3 are warranted.



**Martina Hennessy**

**Member of An Bord Pleanála**

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

Dated this 31<sup>st</sup> day of August 2023.