



An  
Bord  
Pleanála

## Board Order ABP-313739-22

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 22/4782**

**Appeal** by Barlow Properties Limited care of Coakley O'Neill Town Planning of Ashbourne House, Glounthaune, County Cork and by Sheila Miller of 'Lofoten', Prospect Hill, Kinsalebeg, County Cork against the decision made on the 9<sup>th</sup> day of May, 2022 by Cork County Council for permission for development comprising 94 number residential units (comprising five number four-bedroom detached dwelling houses, three number three-bedroom detached dwelling houses, nine number three-bedroom apartments, four number three-bedroom duplex apartments, 65 number two-bedroom apartments and eight number one-bedroom apartments in eight number blocks ranging in height from two to four-storeys, with Ashbourne House, which is listed as a Protected Structure (Reference 00498), comprising one of those blocks). Works to Ashbourne House involve the demolition of modern extensions, refurbishment throughout and its conversion to residential apartments. The proposed development also includes the provision of one number café in the existing gate lodge building, which will be extended, associated car parking, internal roadway, revisions to the existing vehicular entrance to the south and revised access arrangements to the north, which comprise new pedestrian accesses, landscaping and amenity areas including management of identified trees, foul and storm water drainage, including attenuation, and all associated site development works. The

proposed development consists of work to a protected structure and its curtilage at Ashbourne House, Glounthaune, County Cork as revised by the further public notices received by the planning authority on the 11<sup>th</sup> day of April, 2022 in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for 30 number residential units (comprising 23 apartments and seven houses) and the provision of one number café in the existing gate lodge building, which will be extended, associated car parking, internal roadway, revisions to the existing vehicular entrance to the south and revised access arrangements to the north, which comprise new pedestrian accesses, landscaping and amenity areas including management of identified trees, foul and storm water drainage, including attenuation, and all associated site development works. The proposed development consists of work to a protected structure and its curtilage and to refuse permission for 50 apartments in blocks D and E.

## **Decision**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## Reasons and Considerations

1. Objective GN-R-01, as set out in the Cork County Development Plan 2022 - 2028, states that it is policy of Cork County Council to seek to achieve a high density on one hectare of the proposed site and to seek to achieve the density in such a way that the woodland setting is protected and that the trees of special heritage value and champion trees are protected. Furthermore, Objective HE 16-20 of the Development Plan seeks to recognise the contribution and importance of historic landscapes and their contribution to the appearance of the countryside, their significance as archaeological, architectural, historical and ecological resources and to protect the archaeological, architectural, historic and cultural element of the historic/heritage landscapes of the County of Cork. The proposed development includes 1.5 hectares of land for development and would, therefore, be contrary to the Development Plan objective. The proposed development would also result in the loss of trees of special heritage value within the garden and woodland area associated with Ashbourne House that it is a specific objective to protect. It is considered, therefore, that the proposed development would contravene these policy objectives and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development provides for a net density of 35.3 units per hectare, which would be contrary to the policy objectives, as set out in the Cork County Development Plan 2022 – 2028, as they relate to density for high residential density on suitably zoned lands, which provides that 'higher density' consists of a minimum density of 50 units per hectare. The proposed development would give rise to an inefficient use of zoned residential land and of the infrastructure supporting it, which would contravene Government policy to promote sustainable patterns of settlement and the policy provisions in the National Planning Framework, 2040 and the proposed development would, therefore, be contrary to National and Local policy objectives and the proper planning and sustainable development of the area.

3. Ashbourne House is listed on the Cork County Record of Protected Structures (RPS number 00498). The protected structure, associated gardens and woodland of Ashbourne House are substantially included in the subject site. The gardens and setting of the site are of a high cultural and visual value to the setting of the protected structure. The proposed development includes the removal of a significant number of these trees, including one champion tree and two heritage trees, which would negatively impact on the visual amenity and the cultural heritage value of the area and would have a significant adverse impact on the setting of the protected structure. Having regard to the guidance contained within the "Architectural Heritage Protection Guidelines for Planning Authorities" issued by the Department of Arts, Heritage and the Gaeltacht in October 2011 and policy Objectives HE 14-14 and HE 14-16, as set out in the Cork County Development Plan 2022 - 2028, it is considered that the proposed development would have a detrimental and irreversible impact on the character, special cultural interest and setting of the protected structure. Consequently, it is also considered that the proposed development would directly conflict with policy Objectives HE 14-14 and HE 14-16, as set out in the Cork County Development Plan 2022 - 2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

  
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**Stephen Brophy**

**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board**

Dated this *17<sup>th</sup>* day of *July* 2023.