



An  
Bord  
Pleanála

**Board Order**  
**ABP-314081-22M**

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**Planning and Development Acts 2000 to 2022**

**Amendment of Board Order**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 22/04956**

**DEVELOPMENT CONCERNED:** Construction of nine number town houses in two number two-storey blocks together with associated site works (change of plan from that permitted under planning register reference number 18/6326) at Dun Oir, Currgan, Kanturk, County Cork:

**WHEREAS** the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 10<sup>th</sup> day of October, 2023:

**AND WHEREAS** it has come to the attention of the Board that due to clerical errors, two conditions (Institutional condition and Part V condition) were omitted from the Board Order:

**AND WHEREAS** the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the development, the subject of the permission or decision:

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the Board to the permission/other matter:

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as inserted by section 30 of the Planning and Development (Strategic Infrastructure) Act 2006, the Board hereby amends the above-mentioned decision by inserting new condition numbers 10 and 11 of its Order as follows:

10. Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

**Reason:** To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

11. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

A handwritten signature in blue ink is written over a circular seal. The seal contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center. The signature is written in a cursive style.

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

Dated this 13<sup>TH</sup> day of December 2023.