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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

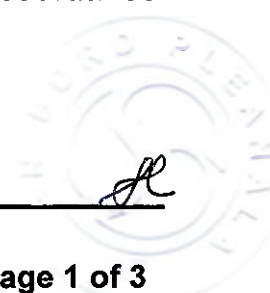
**Planning Register Reference Number: 21/00833**

**APPEAL** by John Cotter of Dromleigh South, Bantry, County Cork and by others against the decision made on the 12<sup>th</sup> day of September, 2022 by Cork County Council to grant subject to conditions a permission to Aiden McCarthy care of DCMA Consultants of Marino Street, Bantry, County Cork.

**Proposed Development:** A residential development consisting of the following: (i) 42 number dwelling houses, three number apartment blocks each including four number apartments, and two number serviced sites, (ii) installation of playground, (iii) installation of two number bin corrals and (iv) all associated site works including estate roads, footpaths, lighting, services and landscaping at Dromleigh South and Sheskin, Bantry, County Cork. Further public notices were received by the planning authority on the 16<sup>th</sup> day of August, 2022.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.



## Reasons and Considerations

1. Having regard to existing vehicular and pedestrian entrances to schools and to the primary care centre which converge at the proposed site access, and also to the deficiencies with respect to the proposed detailed design of same, it is considered that the proposed development would endanger public safety by reason of traffic hazard, in particular pedestrians, cyclists and vulnerable road users. Furthermore, no Traffic Impact Assessment nor Road Safety Audit was submitted with the proposal in accordance with Specific Development Objective BT R-05 of the Cork County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the provisions of the current County Development Plan and to the proper planning and sustainable development of the area.
  
2. Having regard to: -
  - (a) the poor overall site layout that would result in substandard quantum and quality of public open space provision that would be contrary to Objective GI 14-6 of the Cork County Development Plan 2022-2028. In particular, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), issued by the Department of Housing, Local Government and Heritage, require a design approach to public areas such as open spaces to be guided by the best principles of passive surveillance to encourage a safe sense of place and discourage anti-social behaviour. The proposed disposition of proposed housing with respect to the overlooking of public open space areas and the proposal to create a restricted access, linear buffer zone along a stream to the rear of proposed dwelling houses, fails to

provide high quality usable open spaces and fails to facilitate adequate and appropriate natural surveillance of open spaces, and

- (b) the proposed layout and design of internal roads and paths, poor internal and external connectivity that would not give priority to the needs of pedestrians and other vulnerable road users, over that of vehicular traffic within the scheme which is dominated by roads, contrary to the provisions of the Design Manual for Urban Roads and Streets issued by the Department of the Environment, Community and Local Government in 2013 and Objective TM12-2-1 of the Cork County Development Plan 2022-2028,

the Board considered that the development as proposed would conflict with the objectives of the Development Plan and the provisions of the said guidelines, would seriously injure the residential amenities of future residents of the development, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this 9 day of February 2024.