



An  
Bord  
Pleanála

## Board Order ABP-314946-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 22/5827**

**Appeal** by Unique Fitout Unlimited care of Butler O'Neill Total Planning Solutions of Old Thompson's Bakery, Thompson House, MacCurtain Street, Cork against the decision made on the 29<sup>th</sup> day of September, 2022 by Cork County Council to refuse permission.

**Proposed Development:** Construction of 49 number residential units comprising of the construction of 20 number detached and semi-detached three-bed houses as well as 29 number apartments across three number blocks comprising of six number one-bed units, 21 number two-bed units and two number three-bed units.

Construction of soft landscaped play spaces, an east-west ecological corridor (1.432 hectares) and strengthening the existing pedestrian pathways. The site area, including the ecological corridor, spans a total of 3.193 hectares (7.89 acres) with developed site area of 1.761 hectares (4.352 acres). Access to the site is proposed to the south of the existing Pembroke Wood estate via the existing right-of-way. The proposed development also includes the provision of car parking (80 number spaces) and bicycle parking (79 number spaces), disabled car parking spaces, motorbike parking bays and electric vehicle (EV) charge points, drainage works, landscaping and boundary treatments, bin storage, surface treatments and all ancillary site development works, all at the site south of Pembroke Wood, Pembroke, Passage West, County Cork.

## Decision

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

## Reasons and Considerations

1. The site forms part of a larger area zoned for 'Green Infrastructure' purposes within the Cork County Development Plan 2022-2028 and is subject to specific Objective PW GC-02 which relates to "Open Space with views overlooking Cork Harbour and for provision for landscape protection. The following habitat of county importance can be found within this site: Scrub/Transitional Woodland, Dense Bracken and an Ecological Corridor". Objective ZU 18-13 of the Cork County Development Plan 2022-2028 seeks to "Retain and generally protect appropriate areas for their landscape, amenity or nature conservation value or their current or future flood management role, within Green Conservation (Landscape amenity/nature conservation) area" and outlines that "No development other than development which supports Green Infrastructure will be considered in these areas". The proposed residential development would contravene materially the "Green Infrastructure" zoning objective pertaining to the site, as set out within the Cork County Development Plan 2022-2028, and would be contrary to objectives PW GC-02 and ZU 18-13 of the development plan. The proposed development would be contrary to the provisions of the Cork County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site forms part of a hillside in Passage West and the topography of the site steeply slopes from the north to the south. The proposed development includes significant ground works/excavation/retaining walls to accommodate the development of the site and there are information deficiencies within the planning application in relation to the scale and nature of the works required. On the basis of the information submitted in connection with the planning application and the appeal, the Board is not satisfied that the layout, as proposed, provides an appropriate design solution to the locational context and elevated topography of the site. It is considered that the proposed gabion/retaining walls, in particular, would form a prominent feature in the landscape and would detract from the visual amenities of the area and the residential amenities of future occupants of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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

Dated this *12<sup>th</sup>* day of *April*, 2024.