



Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 22/41317

APPEAL by Rebel Abu Limited care of Patrick A. Cullinane of 25 Elm Road, Togher, Cork against the decision made on the 29th day of September, 2022 by Cork City Council to refuse permission for the proposed development.

Proposed Development: A residential development, comprising of (a) eight number two-bedroom semi-detached dwellings, (b) 26 number three-bedroom semi-detached dwellings, (c) 45 number three-bedroom terrace dwellings, (d) 12 number four-bedroom semi-detached dwellings, (e) 10 number duplex units containing two-bedroom apartment on ground floor and three-bedroom duplex dwelling at first floor and second floor and (f) to also to carry out all associated site services and site works, which includes construction of estates roads and carparking at Lotabeg, Tivoli, Cork. The permission being sought also includes for the construction of an entrance from the public road located at Ashmount Court, Silversprings, Lotabeg and Lotamore to facilitate access to the proposed development.

Decision

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

Reasons and Considerations

1. The proposed development is located on lands zoned ZO17 Landscape Preservation Zone and ZO20 City Hinterland, with a further overlying objective of "Area of High Landscape Value". The Cork City Development Plan 2022-2028 seeks to preserve and enhance the special landscape and visual character of these open space and amenity zones and to preserve the character of the city hinterland for use as agriculture, rural amenity, open space, recreational uses, green and blue infrastructure and to protect and enhance biodiversity. To that end, residential development is neither permitted in principle nor open for consideration on the subject site. The proposed development would, therefore, materially contravene the land use zoning objectives of the Cork City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development of residential development on a steeply sloping site with wide visibility and a degree of tree cover particularly on the southern boundary, to which an objective to protect the high landscape amenity applies, would be contrary to Objective 6.13 of the Development Plan which seeks to conserve and enhance the character and visual amenity of such areas through the appropriate management of development. Further, the proposed development would be contrary to Chapter 6 Green and Blue Infrastructure, Open Space and Biodiversity which states that there will be a presumption against development where it causes significant harm or injury to the intrinsic character of the Area of High Landscape Value. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Liam Bergin

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

Dated this 06th day of February 2024.

