

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

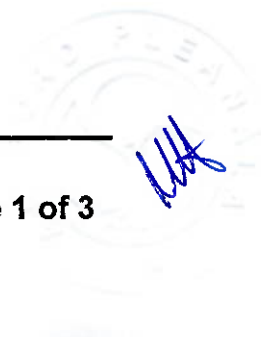
Planning Register Reference Number: 22/04497

APPEAL by Oakfield Resources Limited care of Malachy Walsh and Partners of Reen Point, Blennerville, Tralee, County Kerry against the decision made on the 1st day of March, 2023 by Cork County Council to refuse permission for the proposed development.

Proposed Development The construction of a residential development comprising 88 residential units (two number one-bed; 71 number three-bed; and 15 number four-bed), comprising 54 number houses (28 number semi-detached and 26 number townhouse units), 32 number duplex, and two number apartments. The proposed development will also consist of a creché, new vehicular and pedestrian access from Kennel Hill Road, car parking, shared open spaces, landscaping, a pumping station and all associated ancillary development and site works necessary to facilitate the development at Annabella, Mallow, Co. Cork.

Decision

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

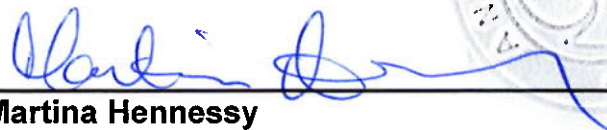


Reasons and Considerations

1. The site is located within the settlement boundary of Mallow as defined in Volume 3, North Cork of the Cork County Development Plan 2022-2028. The proposed development is located on land zoned under land use Objective MW-RR-04 (Residential Reserve) which is the subject of certain criteria including not being available for development prior to May 2025. Therefore, the development on said lands, would not be in accordance with local, regional or and national planning policy which seeks to consolidate urban development within identified settlements in accordance with adopted Core Strategies. Furthermore, a portion of the site is located on lands zoned MW-GC-16 (Green Infrastructure) where residential development is not permitted.

The Board considers that the proposed development would materially contravene the Land Use Zoning Objective MW-RR-04 (Residential Reserve) in Volume 3, North Cork and Objective ZU-18-12 Volume 1 of the Cork County Development Plan 2022-2028 and Land Use Zoning MW-GC-16 (Green Infrastructure) and Objective ZU-18-13 Volume 1 of the Cork County Development Plan 2022-2028 and MW-GB1-2 (Greenbelt) on Mallow Land Use Zoning Map Volume 3, North Cork, pursuant to the provisions of section 37(2)(b) of the Planning and Development Act, 2000, is precluded from the granting of planning permission for the proposed development as the provisions of section 37(2)(b) of the said Act apply in this case. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the application and the appeal, the Board is not satisfied that the applicant has demonstrated that the arrangements provided for dealing with wastewater disposal from the proposed development, including the pump station, are adequate to cater satisfactorily for the development and that the proposed development would not contribute to water pollution at this location or that it would not be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *29th* day of *February* 2024.