An Bord Pleanála

Board Order
ABP-318124-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 22/06067

Appeal by Reside Developments Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 11th day of September, 2023 by Cork County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for the construction of 23 number dwelling units and all associated ancillary development works including vehicular access, parking, drainage, landscaping, and amenity areas at Lavallin, Farranastig (townland), Whitechurch, County Cork.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reasons set out.

An amendment to this Board Order has been made

Dated 24/10/25

Signed: Secretary

Reasons and Considerations

Having regard to the design and layout of the scheme and to the following:

(a) to the core and settlement strategy of the Cork County Development Plan 2022-2028, which was adopted on 6th June 2022, and to the associated population targets being based on the Implementation Roadmap for the National Planning Framework (2018) and the Regional Spatial and Economic Strategy for the Southern Region,

(b) to the designation of Whitechurch as a village within the Cork Metropolitan Area,

(c) to Objective DB-01 of the Cork County Development Plan 2022-2028 which encourages the development of up to 50 dwellings within Whitechurch during the Plan period,

(d) to Section 2.13.1(6) of the Core Strategy Statement which states that the dwelling figure for each village is not intended to be seen as a target or an absolute maximum limit on development,

(e) to the pattern of permitted residential development within the settlement boundary of Whitechurch since the adoption of said Plan,

(f) to Section 2.16.3 of Volume 4 of the Plan which acknowledges the existing permissions for the village,

(g) to Section 2.13.1(5) of the Plan which provides for an allowance for growth where there are outstanding planning permissions resulting in a breach or close to a breach of the settlement target,

(h) to paragraph 4.9.2 of the Plan which recommends the size of any residential scheme should not normally be over 50% of the overall scale of development within the Plan period,

An amendment to this Board Order has been made

Dated 24/10/24

Signed: Secretary EW

(i) to the location of the site being in close proximity to the village centre and adjacent to an existing housing estate and to the existing infrastructure capacity that can accommodate the overall development,

(j) to the density of the development being in accordance with objective HOU 4-7 and appropriate to the scale of the village in accordance with objective CS 2-7, and

(k) to Section 37(2)(b) of the Planning and Development Act 2000, as amended,

the Board considers that the removal of condition number 2 of the planning authority's decision to grant permission, would be in the interest of the proper planning and sustainable development of the area and would not result in a material contravention of the Cork County Development Plan 2022-2028.

In not agreeing with the Inspector, the Board felt that more weight should be given to Objective DB-01 of the Cork County Development Plan 2022-2028 which encourages the development of **up to** 50 dwellings within Whitechurch during the Plan period.

BORD PLEANÁLA

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

Dated this 27th **day of** August **2024.**

An amendment to this Board Order has been made.
Dated 29/10/24
Signed: Secretary