An Bord Pleanála

Board Order
ABP-318212-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 23/5515

Appeal by Noel O'Mahony care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 15th day of September, 2023 by Cork County Council in relation to an application by the said Noel Mahony for retention of a rear extension and change of use of The Glen House to short-term accommodation and all ancillary works, all at The Glen House, The Glen, Kinsale, County Cork (which decision was to grant permission subject to conditions for retention of the rear extension and all ancillary works and to refuse permission for retention of change of use to short-term accommodation).

Decision

GRANT permission for retention of rear extension and all ancillary works based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for retention of change of use to short-term accommodation for the reasons and considerations marked (2) under

Reasons and Considerations (1)

Having regard to the nature, scale and design of the extension proposed to be retained, the Town Centre/Neighbourhoods Centre zoning objective for the site location, as set out in the Cork County Development Plan 2022-2028, and the specific characteristics of the site and surrounding area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not adversely impact upon the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

    Reason: In the interest of clarity.

2. All surface water from the property shall be piped to the storm sewer system and shall not enter the foul sewer.

    Reason: To ensure all surface water and drainage is disposed to existing infrastructure.

Reasons and Considerations (2)

Having regard to the location of the site in a designated Rent Pressure Zone, the nature and extent of accommodation within the dwelling, which is considered suitable for long-term letting, and the strategic aim for Kinsale as set out in Volume 5 Section 1.5.2 of the Cork County Development Plan 2022-2028 to provide for additional residential development which reinforces the town's compact form, it is considered that the proposed retention of a change of use to short-term letting would contribute to the existing shortage of long-term rented accommodation available within the town. The development proposed to be retained would be contrary to national and local policy, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to agree with the Inspector's recommendation to grant retention for the change of use to short-term accommodation, the Board acknowledged the competing demands for residential and tourism accommodation in the town but had particular regard to the site's location within a designated Rent Pressure Zone. Based on the information available, the Board concurred with the planning authority that to retain the proposed change of use would contribute to the shortage of long-term accommodation available for rent and would 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 8th **day of** July **2024.**