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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 23/05179**

**Application for Leave to Appeal** against the decision of the planning authority by Conor Mansfield of 3 Ardnalee, Crosshaven, County Cork having an interest in land adjoining the land in respect of which Cork County Council decided on the 28<sup>th</sup> day of May, 2024 to grant subject to conditions a permission to Michael Corbett care of Butler Cammoranesi Architects of 6 George's Quay, Cork.

**Proposed Development:** Demolition of existing derelict WCs building and external steps and construction of 11 number three-storey dwelling houses and all associated site development works including improved access road, car parking areas, footpaths, drainage, landscape and amenity areas. The proposed development includes nine number four-bedroom houses and two number three-bedroom houses at Lower Road, Knocknagore, Crosshaven, County Cork.

**Decision**

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

The Board considered the totality of the submission received in support of the application seeking leave to appeal and the planning conditions referenced therein. In relation to:

- (a) Condition numbers 5 and 6, the Board did not agree that amendments to the final finish constituted a material difference to the development set out in the application as amended by the further information received by the planning authority on the 1<sup>st</sup> day of May 2024,
- (b) Condition number 7, the Board did not agree that the boundary treatment was materially altered by comparison to the development set out in the application as amended by the further information including in particular drawing number 2308\_LA-P0002 REV006 received by the planning authority on the 1<sup>st</sup> day of May 2024,

- (c) Condition numbers 12, 37, 38, 40, 41, 42, and 43, the Board did not agree that such conditions constituted a material difference to the development set out in the application as amended by the further information received by the planning authority as part of the planning application process.

*Stewart Logan*

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**Stewart Logan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this *22<sup>nd</sup>* day of *July* 2024