



Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 246058

APPEAL by Cumnor Construction Limited against the decision made on the 13th day of December, 2024 by Cork County Council to refuse permission for the proposed development.

Proposed Development: Permission for modifications to the site layout permitted under planning Reference Number 14/6792 and 23/4232 and all ancillary signage, car parking, landscaping and associated site development works at Convent Garden, Winter's Hill, in the townland of Town-Plots, Kinsale, County Cork. The proposed modifications to the permitted site layout include: (a) Changes to the permitted road layout; (b) The construction a new private entrance from Winter's Hill to provide private vehicle and pedestrian access to the seven number dwellings permitted under reference number 23/4232; (c) New entrance and exit gates; and (d) Alterations to the permitted public open space including the erection of two metre high fencing. The proposed development also includes modifications to the layout within the front curtilage of the permitted F1 house consisting of a revised driveway location and the construction of a carport and stone wall, all at Convent Garden, Winter's Hill, Town-Plots, Kinsale, County Cork.

Decision

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

Reasons and Considerations

1. Having regard to the proposed reduction in size and the fragmentation of the permitted open space with fencing, the Commission considered the proposed development would result in a poor quality of urban design within the overall permitted Convent Garden Estate, would negatively impact on the quality and utility of the remaining open space and was not satisfied the proposed development would foster community cohesion and contribute to the social integration of the wider development. The proposed development would impact the residential amenity for all residents within the wider permitted development site, would not comply with the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) and Section 3.4.7 of the Cork County Development Plan 2022-2028 and would be contrary to Objective GI 14-6 Public/Private Open Space Provision, Objective PL3-1: Building Design, Movement and Quality of the Public Realm and Objective PL3-3: Delivering Quality and Inclusive Places. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Commission considered that the additional proposed gated entrance in the historic boundary wall, within the Architectural Conservation Area, onto the public road is unnecessary, would present traffic and pedestrian safety risks, would segregate the wider development and would not be consistent with the parent permission for the overall site. The proposed development would not comply with Objective TM 12-8: Traffic/Mobility Management and Road Safety of the Cork County Development Plan 2022-2028 and the Design Manual for Urban Roads and Streets (2019) and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 22nd day of January 2026