

An  
Coimisiún  
Pleanála

**Commission Order  
ACP-323754-25**

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**Planning and Development Act 2000, as amended**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 254251**

**Appeal** by PJ Colfer and by Colm Hayes against the decision made on the 8<sup>th</sup> day of September 2025, by Cork County Council to grant, subject to conditions, a permission to William Kenneally in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of three new two storey dwellings along with new waste water treatment systems and percolation areas, three new vehicular entrances off the R633 and all associated site development works at Knockglass, Ladysbridge, County Cork as amended by the further public notices received by the planning authority on the 12<sup>th</sup> day of August 2025.

## **Decision**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## Reasons and Considerations

The proposed development, consisting of three dwellings with ancillary domestic waste water treatment systems is considered highly vulnerable development under the Planning System and Flood Risk Management Guidelines (2009). Having regards to the location of the site in Flood Zone A as identified in the Strategic Flood Risk Assessment (SFRA) completed for the Cork County Development Plan 2022-2028 and Table 28 of the SFRA which indicates that in Ladysbridge the avoidance approach should be followed where fluvial risk is identified, the provisions of Objective WM 11-16: Flood Risks – Overall Approach of the development plan which requires in the first instance the avoidance of development in areas at risk of flooding, and considering the gradient of the site, the Commission is not satisfied, having regard to the totality of the information on the file, that the applicant had provided sufficient justification for the proposed development in Flood Zone A, nor had they demonstrated that the development would not be at risk from flooding or would not result in flooding elsewhere, and particularly onto the public road. The proposed development would be contrary to Objective WM 11-16 of the Cork County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission noted a number of inconsistencies in the Site Specific Flood Risk Assessment (SSFRA) submitted with the application, including that the development is referred to as retail in Section 2.2 of the SSFRA and as an extension in Section 7.4.1.1; Section 3.1 states the site is not at risk of fluvial flooding despite its location in Flood Zone A as per the SSFRA undertaken for the current development plan; the site is stated as not being steep in Section 4.3 and as brownfield in Section 7.2; and Section 6.1 in relation to emergency response does not appear to be appropriate or tailored to private residential development. The Commission further noted that the qualifications and experience of the agent undertaking the SSFRA had not been provided. In

view of the above, the Commission considered, notwithstanding the site location within the development boundary of Ladysbridge, that there was a sufficient degree of uncertainty throughout the report as to whether the flood risk assessment was adequate to address the specifics of the proposed development and site context, and that the justification provided in Section 7.4.1.1 of the SSFRA was not sufficient to overcome the Commission's concerns in relation to the flood risk at the site and in the vicinity. The Commission considered, therefore, that the proposed development would be contrary to the provisions of the County Development Plan in relation to flood risk and would, therefore, be contrary to the proper planning and sustainable development of the area.

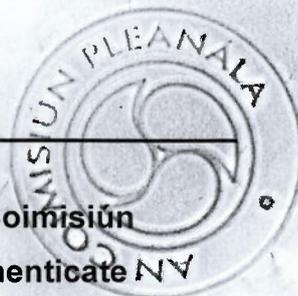
*Mary Gurrie*

**Mary Gurrie**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**



Dated this *10* day of *February* 2026