



An
Coimisiún
Pleanála

**Commission Order
PL-500923-CK-26**

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 25/04903

Appeal by Aaron Whitbread and by Reside (Castlepark) Limited against the decision made on the 9th day of February, 2026 by Cork County Council to grant, subject to conditions, a permission to the said Reside (Castlepark) Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of four number dwelling units and all associated ancillary development works including vehicular access, parking, drainage, landscaping and amenity areas at Kingsfort Gardens, Castlepark, Castlelands (townland), Saint Jospeh's Road, Mallow, County Cork.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2022-2028, the nature, scale, character and location of the proposed residential development, the guidance set out in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) including inter alia SPPR1 - Separation Distances and Section 5.3.7 Daylight, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide a high standard of residential amenity and would not seriously injure the residential amenity of properties in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Having regard to the design, orientation and topography of the site and the pattern of development in the area, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of conditions numbers 2 and 3, requiring the omission of Unit 1 (Type C1), are not warranted. In coming to its decision, the Commission considered the totality of information on file, including the revisions presented

at further information and clarification of further information stages and determined that Unit 1 (Type C1) as presented in the clarification of further information documents submitted on the 13th day of January, 2026, would not have a significant impact on the residential or visual amenities of the area. In this regard, the Commission did not agree with the Inspector that Unit 1 (Type C1) would impact on the privacy of the houses on Laurel View given that the windows on the front facade of Unit 1 (Type C1) face south towards the proposed open space area and meet the separation distances set out in SPPR1, and noted that there are no windows to habitable rooms facing west towards Laurel View. While the Commission considered that the proposed development may impact the early morning sunlight to the windows of the houses on Laurel View as Unit 1 (Type C1) is located to the east of numbers 5 and 6, the Commission determined that these impacts are not likely to be significant. In relation to daylight, the Commission concurred with the Inspector's assessment that Unit 1 (Type C1) would be unlikely to have significant impacts on number 5 Laurel View. Given the revised height (two-storey) and sloped roof profile (as opposed to the gable profile design presented at Further Information Stage) facing number 6 Laurel View, the Commission is satisfied that impacts on daylight to number 6 are also unlikely to be significant. Furthermore, given that there are no obstructions to the south/south-east, the rear gardens on Laurel View are likely to receive adequate sunlight throughout the year. In conclusion, having regard to its urban setting in an under utilised serviced site in an established built up residential area, the Commission considered that Unit 1 (Type C1) would create an attractive terminus to the cul-de-sac, would overlook and provide passive surveillance to the public open space, would provide an appropriate transition from the existing and proposed three storey units facing Kingsfort

Gardens to the two storey rear elevations on Laurel View and would not be overbearing or result in undue overlooking or overshadowing of the adjoining residential properties. It was determined, therefore, that the omission of Unit 1(Type C1) is not warranted.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 25th day of November, 2025 and on the 13th day of January 2026, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority:
 - (a) details of the materials, colours and textures of all the external finishes to the proposed dwellings, and

(b) details of all external hard and soft landscaping materials as well as all surface treatments (paving/resin/concrete finishes).

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

3. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction and demolition. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures, arrangements for parking, access and storage during construction and demolition, and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health and flooding prevention.

5. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

7. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interests of amenity and of traffic and pedestrian safety.

8. All of the in-curtilage car parking spaces serving the residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points.

Reason: In the interest of sustainable transportation.

9. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall take account of trees within the landscape plan drawing L-100 General Landscape Plan as submitted with the application. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

10. The landscaping scheme shown on drawing number L-100 General Landscape Plan, as submitted to the planning authority on the 13th day of May, 2025 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

11. Proposals for a street name/house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs, and house numbers, shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

12. The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November, 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

14. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure satisfactory reinstatement of the site.



Emer Maughan

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

Dated this 3rd day of July 2026.