



An
Bord
Pleanála

Inspector's Report ABP-316723-23

Type of Appeal	Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax
Location	Cooneys Lane, Upper Grange, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	CRK-RZLT-82
Appellant(s)	Westbrook Housing Co. Ltd.
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site contains an almost triangular shaped area of land located to the east of Cooney's Lane, to the south of Douglas, Cork. The site has a stated area of 9.13 hectares, consists of a single field, which is under grass/ in agricultural use. There are a number of derelict, former agricultural buildings located to the northern part of the site.
- 1.2. The adjoining lands are primarily in agricultural use, through there are a number of detached houses on their own sites to the south west and residential development associated with South Douglas is located to the north and north east of the subject lands.

2.0 Zoning and Other Provisions

- 2.1. The subject lands are included within the Settlement Boundary of the Cork City Development Plan 2022 – 2028. The subject site is zoned ZO 01 – 'Sustainable Residential Neighbourhoods' with an objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses'.

3.0 Planning History

- 3.1. **SHD ABP Ref. 303098-18** refers to a March 2019 decision to grant permission for the demolition of existing dwellings, construction of 251 no. residential units, re-alignment of Cooney's Lane, traffic calming measures on Cooney's Lane and Bellevue Road and associated site works.

4.0 Submission to the Local Authority

- 4.1. The appellant made a submission to the Local Authority seeking to have their lands removed from the draft map for the following reasons:
 - There is a need to provide 600 m of foul sewer from Ardfield estate to the subject site.
 - Cooney's Lane requires significant upgrade works.

These works are to be provided by the developer and the first phase is due to commence in 2023. The applicant is actively progressing the development of these lands.

5.0 Determination by the Local Authority

5.1. The Local Authority determined that the site was in scope. The lands were suitably zoned for residential development, and it is reasonable to consider that they can be serviced as required for such development.

6.0 The Appeal

6.1. Grounds of Appeal

The following points were made in support of the appeal:

- The planning/ site history is provided.
- The lands should not be included as significant works are required for the development of the area for residential uses.
- Significant enabling works are required for the development of these lands to progress.
- The subject lands do not at present have connection to necessary services.

6.2. Planning Authority Response

- No further comment.

7.0 Assessment

7.1. The comments raised in the appeal are noted and the report of the Planning Authority with supporting reports are noted.

7.2. From the available information, the lands are suitably zoned, and services are available for their development for residential uses. Whilst significant works may be required to enable the development of these lands, there is insufficient details provided to demonstrate that such works are in progress, and similarly it is not certain that it is intended to develop the permission already received for these lands.

7.3. The lands can be developed for residential uses and services can be provided in the area to enable such development. The lands should remain on the map.

8.0 Recommendation

8.1. I recommend that the board accept the determination of the Local Authority and that the indicated site be kept on the map.

9.0 Reasons and Considerations

9.1. The appellant requested that their site be removed from the map due to the fact that permission has been received for residential development here, however services are not available at present and significant enabling works would be required for the development of these lands.

9.2. The lands are suitably zoned for residential development, the lands can be serviced and the principle of development has been established by the grant of permission for a residential scheme here. The lands should remain on the map.

I confirm that the report represents my professional planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

Paul O'Brien
Planning Inspector

7th September 2023