



An
Coimisiún
Pleanála

Commission Order
ABP-313206-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 4th day of April 2022 by Estuary View Enterprises 2020 Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development comprises of the following:

- (a) The demolition of ten number existing agricultural buildings and sheds and log cabin residential structure and the construction of a residential development of 140 number residential apartment units over two number retained and repurposed farmyard buildings (A and B) with single storey extension and three number new blocks of three to five storeys in height, with supporting resident amenity facilities, crèche, and all ancillary site development works.
- (b) The proposed development includes 140 number apartments to be provided as follows: Block C (nine number one-bedroom and 25 number two-bedroom over three storeys), Block D (34 number one-bedroom and 24 number two-bedroom over three to four storeys), Block E (27 number one-bedroom, 20 number two-bedroom and one number three-bedroom over four to five storeys).

- (c) It is proposed to use retained Block A and Block B for resident amenities which include home workspace, library, lounge and function space.
- (d) The proposal includes a new pedestrian and cycle bridge over the adjoining Passage West Greenway to the east, connecting into the existing down ramp from Mahon providing direct access to the Greenway and wider areas, as well as new pedestrian access to Bessborough Estate to the north including upgrades to an existing pedestrian crossing on Bessboro Road.
- (e) The proposed development provides for outdoor amenity areas including publicly accessible parkland, landscaping, surface car parking, bicycle parking, bin stores, substation, public lighting, roof mounted solar panels, wastewater infrastructure including new inlet sewer to the Bessborough Wastewater Pumping Station to the west, surface water attenuation, water utility services and all ancillary site development works.
- (f) Vehicular access to the proposed development will be provided via the existing access road off the Bessboro Road.
- (g) Part of the proposed development is situated within the curtilage of Bessborough House which is a Protected Structure (Record of Protected Structure Reference Number: 490),

all located at Bessborough, Ballinure, Blackrock, Cork.

Decision

Refuse permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

Objective 11.2 Dwelling Size Mix and Table 11.8 of the Cork City Development Plan 2022-2028 set out clear unit mix requirements to be adhered to except in exceptional circumstances where justification is provided. The unit mix proposed does not meet the target levels set out under Table 11.8 for any of the proposed unit types and does not conform to the unit mix ranges that would be acceptable subject to adequate justification on the basis of market based evidence. No Statement of Housing Mix in accordance with Objective PO1 of the Housing Strategy and Housing Need Demand Assessment of the Supporting Studies accompanying of the Cork City Development Plan 2022-2028 has been submitted and, therefore, no justification has been provided in relation to the unit mix proposed. The Commission is therefore not satisfied that the proposed development meets the requirements of these objectives. The Commission considers that the proposed development materially contravenes the Development Plan in relation to the provision of unit mix requirements. This issue has not been addressed in the applicant's Material Contravention Statement and the subject application, and therefore, does not meet the requirements of section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended. The Commission, therefore, cannot invoke section 37(2)(b) of the Planning and Development Act 2000, as amended, and is precluded from granting permission.

Eamonn James Kelly

Eamonn James Kelly

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *23rd* day of *July*, 2025

