

Observation to application

An Coimisiún Pleanála - Case reference: LH28.324153

Planning Authority Case Reference: 2544442

A chara

Please find as follows our appeal against the application named above.

Introduction and historical context

In the first instance we wish to very clearly state that we are opposed to this development, or development more generally on this site. This is a site of great sensitivity and it is not appropriate for development. It is our view that the local community, and the people of Cork more generally, are deeply uncomfortable with the proposals and join us in opposing this development.

As An Coimisiún is very aware this development proposal is for the site of the former Bessboro Mother & Baby Home. This institution operated for many decades until mid-1990s. The issues in question here go far beyond housing matters. The history of the site, and its meaning for those who lived and spent time here, is profoundly sensitive. For many this is not a question of history but of a modern-day search for answers.

This is a point recognised very clearly in the past by An Coimisiún Pleanála. An Coimisiún is bound by its previous findings which specifically refused permission at Bessborough citing the potential for locations of human remains burials on the site.

And while history is hugely significant in relation to this site, it is not only the historical elements that are significant. This matters in the here and now to survivors and to relatives of former residents of the Mother & Baby home who do not know where their relatives are buried. These are the mothers, brothers and sisters of those potentially buried on this site, they are actively grieving and their grief must be acknowledged.

Children's Burial Grounds

Interim reports to the Commission on Mother and Baby Homes state that the location of the remains of hundreds of children who died at Bessboro are not known. We know that of the 923 babies who died at Bessborough, 859 are entirely unaccounted for.

"The long-running inquiry found that some 900 children died in Bessborough or in hospital after being transferred from Bessborough. However, it could only establish the burial place of some 64 children who died between 1922 and 1928 despite "very extensive inquiries and searches".

Of these, 53 are buried in St Joseph's Cemetery, two are buried in St Finbarr's Cemetery.

Five of the remaining children died after being transferred to Cork District Hospital and are "likely" to have been buried at Cork District Cemetery, Carr's Hill. However, the Commission has no documentary evidence of this.

The Congregation of the Sacred Hearts of Jesus and Mary who owned and ran Bessborough do not know where the other children are buried.”¹

It seems highly likely that the bodies of many of the children, and women who died on this site are buried on or around this site.

This is further evidenced by the final report of the Commission which found “that it is highly likely that burials did take place in the grounds of Bessborough.”²

The documentary evidence regarding Bessborough makes for deeply upsetting reading. Even allowing for differences in maternal healthcare compared to the modern day, it is evident that the standards in Bessborough were appalling, even by the standards of the time. Public health reports looking at this period saw an infant mortality rate of 82% in some years in the forties. The cause of death of some 20% of the deaths in Bessborough in the forties and fifties was marasmus -a form of severe malnutrition. The standards as such were so poor that the State's Chief Medical Adviser, James Deeny threatened investigation, through later shelved on condition that the mortality rate would continue to fall.³

The high infant mortality was not exclusively confined to this period. According to the Commission report, in the years 1958-60 infant mortality increased to around 10%: representing nine deaths on average in these years.

It is evident that little respect was shown to those infants, and indeed mothers, in death. Even if they are not buried in Bessborough – despite significant evidence that they are - the poorly recorded approach to deaths, and potential unrecorded deaths, indicate that they were not shown the respect that they should have been, nor were the laws of the time in terms of recording of death adhered to. They were denied dignity in death and life.

During the course an Oral Hearing to a previous application, we recall the evidence of a Mr John Clarkin, who had worked for Ordinance Survey Ireland, regarding his view as to the manner in which a map indicated the presence of a Children’s Burial Ground at a particular location within Bessborough. Clarkin made a compelling case.

However perhaps most impactfully and importantly, it indicates the manner in which these are not normal planning applications. The Government simply allowing planning processes to proceed as if this is normal is wrong. No normal planning application assessment has to consider whether or not there is a children’s burial ground on the site.

Precedent of Previous Decisions

We would also make the point very strongly that An Coimisúin Pleanála is bound by its previous decision and those of an Bord Pleanála as the submission referenced above outlines in detail.

The specific and clear basis of An Bord Pleanála’s refusal to a previous application (ABP-308790-20) in 2021 was the lack of information regarding the potential for the location of Burials.

“the Board is not satisfied that the site was not previously used as, and does not contain, a children’s burial ground and considers that there are reasonable concerns in relation to the

¹ <https://www.irishexaminer.com/news/arid-30918325.html>

² Page 4, CHAPTER 38 ADDENDUM TO BURIALS REPORT

³ [Cork's Bessborough: 'The deaths had been going on for years'](#)

*potential for a children's burial ground within the site, associated with the former use of the lands as a Mother and Baby Home over the period 1922 to 1998. In this context, the Board **considers that it would be premature to grant permission for the proposed development** prior to establishing whether there is a children's burial ground located within the site and the extent of any such burial ground.”⁴*

This situation remains unchanged. This was re-emphasised by the decision of An Bord Pleanála in ABP-315820-23, in September 2024

And crucially in July 2025 in its new formation, An Coimisiun Pleanala confirmed this position in ABP-313206-22:

“In conclusion, no new or significant evidence has been presented since the Board’s decision on ref no. 308790 (decision in 2021), which had been based on a considerable body of evidence that was robustly tested at the oral hearing, which would be sufficient to overcome the Board’s reason for refusal. **Furthermore, nothing has changed on the ground in respect of addressing the considerable uncertainty regarding the potential for unrecorded burials within the lands, including the site of the current proposal**⁵, that had given rise to this decision, i.e. no excavations have been carried out. Notwithstanding the appellants’ claims that the area of concern was largely confined to the area north and west of the folly and on lands not within the applicants’ ownership, it has been widely accepted by the Board, the Commission of Investigation and by the applicants’ own experts, that the extent of the area to which the uncertainty persists regarding the potential for unrecorded burials is significant.”

The precedent is crystal clear – therefore a refusal ought correctly to follow.

Other Planning Considerations

It is our view that the area should be treated as a protected landscape.

We note the resolution of Cork City Council that was unanimously agreed in September 2025 ‘That this Council will seek to begin a process with the relevant Government Departments to CPO the entire land at Bessborough in order to make it a new public park and memorial to the history of the site’. This states clearly the objectives of the elected representatives of the city and thus the broader community objectives.

The 2022 Cork City Development plan on page 199 volume 1, identifies the need for a ‘Bessboro Neighbourhood Park’.

Both of these considerations in terms of the impact on Heritage and Amenity, and the clear desires of the Local Authority in this regard, democratically approved by the Councillors of the City, must be taken in to consideration. What this development proposes is contrary to those stated objectives and should therefore be refused.

Landscape, Heritage and wildlife

The 2014 Mahon Local Area Plan (the most recent document of that kind) identifies “Bessboro House, Bessboro Farm and demesne” as “one of only two relatively intact historic landscapes left in the city”. This is a heritage consideration that should be considered significant.

⁴ Emphasis added

⁵ Emphasis added

Further, we note that the Mahon Local Area Plan (page 20) outlines the objective to “Conserve and enhance landscape assets, including those Landscape Preservation Zones and Areas of High Landscape Value set out in the Cork City Development Plan 2009-2015, and use them to create a strong sense of place and contribute to amenities in the area”.

We further note that the site is a wildlife habitat, connected to the Douglas Estuary and Lough Mahon and it should be protected. A development of this scale may have an adverse effect on the wildlife and flora in the area. This development is not conservation; it will impact a significant part of the Bessborough landscape and the Children’s Burial Ground which may be located there. It may potentially adversely affect the habitats in the area connected to the Cork Harbour SPA.

The Wider Bessborough site

We would also note that while the applicant may wish to present this application as a stand-alone application, ultimately is in the intention to develop the entirety of the site, with the Housing application ‘The Meadows’ due to follow, and a further proposal for ‘The North Fields’ to follow on again after that.

This will ultimately result in the development of the entirety of the Bessborough site. This application cannot be assessed on its own merits and the cumulative impacts should be considered as significant.

Some discussion has occurred regarding the conditions laid down in the initial grant of planning, regarding the finding of human remains, and that protocols exist in such circumstances. However, we would make the point that this is not a context of potential archaeological findings, or unexpected finding of remains, but foreseeable finding of human remains, not from the distant past but of babies who died within living memory and who still have living relatives. The idea of a mechanical digger disturbing and lifting bones as an expected or even potential result of construction of this site is deeply disturbing. This is not mitigated by any proposal to immediately cease construction on discovery of human remains. This potential scenario is deeply traumatising to survivors, living relatives and residents.

Human Rights Considerations at Bessborough and across all such institutions.

The reality is that what is needed at Bessborough is to take the site holistically – engage with survivors and living relatives and explore how the entire site can be examined sensitively. This needs to be state-led. The same gravity needs to be applied to this location as at other mother and baby homes.

In truth the government had the opportunity to do so in engaging with proposed amendments to the Institutional Burials Act and to the opposition Institutional Burials (Amd) Bill 2022. While it failed to take the opportunity then, it must do so now. We believe that An Coimisiún Pleanála should highlight this gap in the process and encourage the government to put in place a holistic engagement process for this site. Ultimately it is our view that the state should protect this site, and not permit development at this site.

I also note the submission of the Academics from the University of Galway⁶ which makes the point that the Irish government has failed to ensure that its obligations under the European Convention of Human Rights and the Charter of Fundamental Rights (CFR arts 1, 2, 4, 6, 7, 11, 20, 21, 24, 33, 42, 47) to ensure adequate investigation of deaths. There is a comprehensive, fact-based and important submission and we encourage An Coimisiún to give this appropriate weight.

Conclusion

In summary, it is clear that the developments proposed, are enormously harmful to the local landscape, and the heritage of the area, and furthermore and most importantly, insensitive and hurtful to those who believe, not without basis, that their relatives are buried on site.

While we appreciate that these are not normally the kind of considerations planners have to measure and take, in this instance it is undoubtedly warranted and we note that this has been the perspective on An Bord Pleanála/An Coimisiún Pleanála in three decisions at this location now. This development has the potential to cause immense hurt and pain.

We appeal to An Coimisiún Pleanála to reject what is an entirely unsuitable proposal.

Regards

Donnchadh Ó Laoghaire TD

Thomas Gould TD

Pat Buckley TD

Mary Lou McDonald TD

Claire Kerrane TD

Senator Nicole Ryan

Leinster House, Kildare St, Dublin 2

Cllrs Kenneth Collins, Fiona Kerins, Michelle Gould, Joe Lynch, Eoghan Fahy (C/O the above)

⁶ O'Rourke, Maeve;McGettrick, Claire;O'Donnell, Katherine;Enright, Máiréad;Gallen, James;Smith, James M