

OBSERVATION IN SUPPORT OF APPEAL

To: An Bord Pleanála

Case Reference: LH28.324153

Planning Authority Reference: 2544442

Site: Bessborough, Ballinure, Blackrock, Cork

Submitted by: Cllr Ann Bambury

1. Introduction

This submission is made in support of the appeal concerning the proposed development of approximately 140 residential apartments at the Bessborough site, Ballinure, Blackrock, Cork. I make this observation in my capacity as a public representative. It is my duty to formally articulate the concerns of many constituents who have been directly and indirectly affected by the history of Bessborough and who, for a variety of personal, emotional, and practical reasons, are not in a position to make submissions themselves. Their voices, experiences, and concerns must be reflected in the planning process.

Representation of Affected Persons; In engaging with constituents, it is clear that:

- Many individuals connected to Bessborough continue to experience trauma associated with their time there or their family histories.
- There exists a significant cohort of people who feel unable to participate in formal planning processes due to the emotional burden involved.
- There is a strong and consistent view that the site should be treated as a place of remembrance rather than development.

This submission seeks to ensure that those perspectives are formally recognised and considered by An Bord Pleanála in its determination.

The observation respectfully contends that the proposed development is fundamentally inappropriate, both in planning and ethical terms, given the profound historical, cultural, and societal significance of this site.

The proposal represents an insensitive and irreversible transformation of lands intrinsically linked to the history of Ireland's Mother and Baby Homes. It is submitted that the site warrants designation as a protected national memorial landscape under public ownership, rather than private residential development.

2. Historical and Cultural Significance

The Bessborough site is not an ordinary development parcel. It is a place of documented human suffering associated with the operation of a Mother and Baby Home. The findings of the Commission of Investigation into Mother and Baby Homes underscore the gravity of what occurred at such institutions, including Bessborough.

The land is therefore imbued with:

- Exceptional historical sensitivity
- National importance as a site of remembrance
- Cultural and moral significance extending beyond local planning considerations

Development of private apartments on such land risks erasing, trivialising, or commodifying this history. It would represent a failure to appropriately acknowledge the lived experiences of women and children connected to the site.

3. Planning Policy Context

3.1 National Policy

The proposal conflicts with key principles embedded in national planning and heritage policy, including:

- National Planning Framework (NPF):
 - Objective 7: Promotes respect for cultural heritage and identity
 - Objective 11: Emphasises safeguarding places of historical importance

- Departmental guidance on institutional burial sites and sensitive lands, which highlights the need for precautionary and respectful treatment of lands associated with historic institutional use.

3.2 Cork City Development Plan

The Cork City Development Plan contains provisions relating to:

- Protection of cultural heritage landscapes
- Preservation of sites of archaeological and social significance
- Promotion of public amenity and open space

The proposed high-density residential scheme is inconsistent with these objectives, particularly where it replaces an opportunity for meaningful public commemoration with private development.

3.3 Material Contravention of Proper Planning and Sustainable Development

Under the Planning and Development Act 2000 (as amended), An Bord Pleanála is required to consider whether a proposed development is consistent with the proper planning and sustainable development of the area.

It is submitted that this proposal fails that test for the following reasons:

- Failure to account for exceptional historical context: The site's unique status fundamentally alters its planning suitability. Standard residential zoning considerations cannot be applied in isolation.
- Conflict with the core principle of sustainability: Sustainable development incorporates social and cultural sustainability. The proposal undermines both by disregarding the site's legacy.
- Premature development: In the absence of full forensic, archaeological, and historical assessment, any grant of permission would be premature and legally vulnerable.

4. Archaeological and Forensic Considerations

Given the documented history of Mother and Baby Homes, there is a reasonable and evidence-based concern regarding:

- Potential subsurface remains
- Unmarked burials
- Archaeological material linked to institutional use

The precautionary principle must apply. The proposed development poses risks including:

- Ground disturbance through excavation and foundation works
- Permanent loss of potential forensic evidence
- Inadequate scope of current site investigations

A comprehensive, independent forensic and archaeological assessment should be undertaken prior to any zoning or development consideration. Until such work is completed, development is premature.

5. Ethical and Social Considerations

Planning is not solely a technical exercise; it must reflect societal values. In this case:

- Survivors, families, and the wider public have a legitimate expectation that the site will be treated with dignity and respect.
- The development of private apartments on this land risks causing further distress to those directly affected.
- There is a strong moral argument that the State should assume stewardship of the site.

The transformation of this location into private housing undermines efforts at national reconciliation and acknowledgment of historical injustices.

6. Suitability of the Proposed Development

From a technical planning perspective, the proposal is also questionable:

- Density and scale: The construction of 140 apartments represents an intensive use that is incompatible with the reflective and commemorative potential of the site.
- Land use zoning appropriateness: Even if zoned for residential use, zoning must be reconsidered in light of new historical evidence and national awareness.
- Material contravention: The development materially contravenes the spirit, if not the letter, of planning policy concerning culturally sensitive lands.

7. Alternative Vision for the Site

It is submitted that the most appropriate and sustainable use of the site is:

- A State-owned memorial park and garden of remembrance
- A place of reflection and education, incorporating:
 - Interpretive facilities
 - Landscaped open space
 - Commemorative installations

Such a use would:

- Align with national heritage and reconciliation objectives
- Provide a meaningful public amenity
- Ensure long-term protection of the site's integrity

8. Conclusion

Clear and Compelling Grounds for Refusal

This application presents An Bord Pleanála with a decision of profound consequence not only in planning terms, but in how the State chooses to treat places marked by historical injustice.

The case for refusal is not speculative, emotional, or abstract. It is grounded in clear planning failures, legal risk, and demonstrable conflict with national policy and the public interest:

- The development is premature, in the absence of comprehensive forensic and archaeological certainty regarding potential burials.
- It is deficient in assessment, lacking the level of cultural, social, and historical analysis required for a site of this sensitivity.
- It represents an inappropriate and over-intensive land use, fundamentally incompatible with the site's character and significance.
- It is in material contravention of both national and local policy objectives, particularly those relating to cultural heritage, reconciliation, and respectful land use.

Crucially, once developed, the damage would be permanent and irreversible. Any opportunity to properly investigate, protect, and commemorate this site would be lost forever.

This is not simply a question of whether housing is needed there are many appropriate locations for residential development. There are no alternative locations for the history embedded in this land.

To permit private residential construction here would send a deeply troubling signal: that even sites associated with documented suffering and national reflection can be subsumed into standard development processes without full reckoning or respect.

Refusal, therefore, is not only justified it is necessary.

It is necessary to:

- Uphold the integrity of the planning system
- Avoid irreversible harm
- Respect those who suffered and those who continue to carry that legacy
- Align decision-making with the values and commitments of the State

Accordingly, An Bord Pleanála is strongly urged to refuse permission and, in doing so, to affirm that the proper planning and sustainable development of this site lies not in private development, but in protection, remembrance, and public stewardship.

Submitted respectfully in my capacity as a public representative, and on behalf of constituents whose voices cannot be absent from this decision.

The proposed development at Bessborough represents a profound misjudgment in planning terms. It fails to adequately recognise the exceptional historical sensitivity of the site and risks causing lasting harm both physically and symbolically.

For the reasons outlined above, it is respectfully requested that An Bord Pleanála:

1. Refuse permission for the proposed residential development
2. Recognise the site as one of national importance

3. Recommend its transfer into State ownership
4. Support its designation and development as a memorial park and protected heritage landscape

This approach would reflect a responsible, ethical, and forward-looking planning decision that honours the memory of those who suffered and ensures that such history is neither forgotten nor displaced.

A handwritten signature in black ink, appearing to read 'Ann Bambury', with a long horizontal flourish extending to the right.

Cllr Ann Bambury,
Carhue,
Bandon,
Co Cork

Submitted respectfully.