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**LARGE RESIDENTIAL
DEVELOPMENT
CORRESPONDENCE FORM**

Appeal No: ACP 324153-26Please treat correspondence received on 17/4/26 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with LRD 203. Keep copy of Commission's Letter ☐

1. RETURN TO SENDER with LRD _____

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*Brd party response from Bessboro Mother and
Baby Home Support Group*

4. Attach to file(a) Processing ☒(b) Inspector ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: *Cathy Garton*AA: *[Signature]*Date: *21/4/26*Date: *21/04/26*

James Sweeney

From: Eoin Heaney <eoin.heaney@fplogue.com>
Sent: Friday 17 April 2026 18:48
To: Appeals2
Cc: Fred Logue
Subject: Re ACP 324153-24 (Bessborough House, Cork) Third-Party Appellant Response to First Party and Third Party Appeals
Attachments: 260417 Bessboro Support Group Response to Appeals (ACP 3241535-26).pdf

You don't often get email from eoin.heaney@fplogue.com. [Learn why this is important](#)

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A Chara,

Please see attached a response to the First Party Developer Appeal and Third Party appeal of Cllr. Horgan on behalf of the Third-Party Appellant, the Bessboro Mother and Baby Home Support Group.

I would be grateful for confirmation of receipt.

Best regards,

Eoin.

Eoin Heaney | Trainee Solicitor

FP Logue LLP

Lenin House, Rear 25 Strand Street Great, Dublin 1, IRELAND

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Our Reference: FPL/1044/03339
Your Reference: ACP-324153-26

17 April 2026

By Email

appeals@pleanala.ie

Re Response to First and Third Party Appeal of Decision by Cork City Council (Ref. 25/44442)

Applicant Estuary View Enterprises 2020 Limited

Proposed Development Large-Scale Residential Development (LRD) at a site located at Bessborough, Ballinure, Blackrock, Cork. The development will consist of: The demolition of 10 no. existing agricultural buildings /sheds and log cabin residential structure and the construction of a residential development of 140 no. residential apartment units over 2 no. retained and repurposed farmyard buildings (A & B) with single storey extension and 3 no. new blocks of 3-5 storeys in height, with supporting resident amenity facilities, crèche, and all ancillary site development works. The proposed development includes 140 no. apartments to be provided as follows: Block C (9 no. 1-bedroom & 25 no. 2-bedroom over 3 storeys), Block D (34 no. 1-bedroom & 24 no. 2-bedroom over 3-4 storeys), Block E (27 no. 1-bedroom, 20 no. 2-bedroom & 1 no. 3-bedroom over 4-5 storeys). It is proposed to use retained Block A and Block B for resident amenities which include home workspace, library, lounge and function space. The proposal includes a new pedestrian/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. 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. Vehicular access to the proposed development will be provided via the existing access road off the Bessboro Road. Part of the proposed development is situated within the curtilage of Bessborough House which is a Protected Structure (Reference: RPS 490). An Environmental Impact Assessment Report and a Natura Impact Statement has been prepared in respect of the proposed development. The planning application together with the Environmental Impact

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Assessment Report and Natura Impact Statement may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy at the offices of the Planning Authority, City Hall, Cork, during its public opening hours. The LRD application may also be inspected online at the following website set up by the applicant: www.thefarmlrd.ie.

Development address	Bessborough, Ballinure, Blackrock, Co. Cork.
Date of decision	24 February 2026
Appellant	Bessboro Mother and Baby Home Support Group
Appellant Address	c/o Carmel Cantwell. 6 Meadowlands, Upper Rochestown, Cork
Agent	FP Logue LLP
Agent Address	Lenin House, Rear 25 Strand Street Great, Dublin 1

A Chara,

Status and Scope of this Response

1. The Bessboro Mother and Baby Home Support Group ("the Group") is one of the third-party appellants and lodged an appeal dated 20th March 2026 against the decision of Cork City Council to grant permission for the proposed development (Ref. 25/44442).
2. This response is confined to making observations on two appeals to the Commission: i) the appeal of the developer, Estuary View Enterprises 2020 Ltd. Lodged on its behalf by HW Planning on 23rd March 2026 and (ii) the third-party appeal lodged by Coakley O' Neill Town Planning on behalf of Councillor Peter Horgan dated 20th March 2026.
3. The Group maintains in full the grounds set out in its own appeal, in particular the risk of potential burials within the red line development boundary as a determinative factor.

Central Issue - Unresolved Burial Risk

4. The Fifth Interim Report (2019) and Final Report (2021) of the Commission of Investigation into Mother and Baby Homes conclude that the burial locations of the vast majority of children who died at Bessborough are unknown, that burials are likely to have occurred within the wider estate, and that the only means of establishing their location is by way of excavation, including in areas that have now been built upon.
5. As set out at paragraphs 6-14 of the Group's appeal, and at sections 3.1.1 and 3.1.2 of Cllr. Horgan's appeal, the determinative issue remains that it has not been established that lands within the red line boundary of the proposed development do not contain human remains or burial sites associated with the former Bessborough Mother and Baby Home.
6. No excavation, geophysical survey, or equivalent site wide investigation has been carried out within the red line boundary of this application.

Response to the Developer's Appeal

7. The developer's appeal at sections 2, 3, 4.2 and 4.3 seeks the removal of Condition 3 which relates to the omission of Block C and Condition 4 which relates to the removal of the fifth storey of Block E. Grounds put forward include those of design acceptability, precedent, and commercial viability.
8. The Group's appeal at paragraphs 20 - 29 sets out the inadequacy of the EIAR and Archaeological Impact Assessment that accompanied the application in respect of the burials issue. The developer's appeal does nothing to advance any new factual or evidential material capable of demonstrating that the red line application site does not contain burials. In particular, no geophysical survey, test trenching, or excavation has been undertaken within the application site.
9. The developer's reliance on prior ACP decisions concerning design matters (including ABP-313206-22) does not address the burial issue, which is a threshold consideration that must be resolved prior to matters of height, scale, or density. The proposed intensification of development would by its very nature increase excavation and disturbance within a site where burials have not been ruled out, thereby exacerbating risk rather than mitigating it.
10. Furthermore, the developer's implicit reliance on forensic monitoring during construction in its background and justification sections reflects the same "discover and decide" approach which the Group strongly criticised in its appeal and which was rejected by the Commission in earlier Bessborough decisions where burial uncertainty was held to extend beyond the scope of normal planning conditions.

Position on Cllr. Horgan's Appeal

11. The Group supports Cllr. Horgan's appeal insofar as it overlaps with and reinforces the Group's own grounds. In particular, the Group endorses the submissions at Sections 3.1.1 and 3.1.2 of the same, which correctly identify that firstly, no new material evidence has been produced to rule out burials within the site and secondly, that Condition 10 impermissibly seeks to defer a fundamental constraint on development to post-permission compliance.
12. These points align with the Group's submissions at paragraphs 12-13 of its appeal, namely that burial risk is a threshold matter that needs to be resolved before development and that cannot lawfully be resolved by condition.

Conclusion

13. For the reasons set out above, and for the reasons already advanced in the Group's appeal, the developer's appeal should be dismissed in full, Cllr. Horgan's appeal should be upheld insofar as it relates to burial risk and prematurity and permission should be refused on the basis that the presence of burials within the red line boundary has not been disproven and cannot lawfully be addressed by condition.

Yours faithfully

FP LOGUE LLP

[Sent via email and accordingly bears no signature]