



An
Coimisiún
Pleanála

Memorandum – Oral Hearing

ACP-324153-26

To: Daire McDevitt (ADP)

From: Paul O'Brien, Senior Planning
Inspector

Re: LRD includes the demolition of
existing agricultural buildings/ sheds
and construction of 140 residential
units.

Location: Bessborough, Ballinure, Blackrock,
Co. Cork

Date: 13th May 2026

1.0 Site Location and Description

The appeal site refers to lands that formed part of the Bessboro Farm which made up a part of the Bessborough Estate in Blackrock, approximately 4.5km to the south east of Cork City. The lands are located to the south of the Bessboro Road and north of the N40/ Cork Couth Ring Road. The site is also to the west of the Passage West Greenway.

The appeal lands are approximately 5.08 hectares in area, and the site has an irregular shape. There are a number of agricultural buildings/ sheds on the eastern

part of the site, and which were in use on the former farm. The majority of the site is undeveloped and contains a mix of trees/ scrub and grass. The site slopes downwards from on a north to south axis but the section to the east rises from west to east.

2.0 Proposed Development

The development consist of the:

- Demolition of 10 existing agricultural buildings/ shed and also the demolition of a log cabin residential structure.
- The construction of 140 apartment units in the form:
 - 70 x one bedroom units.
 - 12 x two bedroom – three person units.
 - 57 x two bedroom – four person units.
 - 1 x three bedroom unit.
- The repurposing of existing agricultural structures for residential amenity use.
- Provision of a creche.
- All associated car and bicycle parking.
- Suitable road and pedestrian infrastructure including a new pedestrian/ cycle bridge over the Passage West Greenway.
- All required open space and site landscaping.
- Provision of suitable water supply, drainage including a new inlet sewer to the Bessborough Wastewater Treatment Pumping Station.

3.0 Planning History

ABP Ref. 313206-22 refers to a July 2025 decision to refuse permission for the demolition of existing buildings, construction of 140 no. apartments, creche and associated site works on the subject site. A single reason for refusal was issued as follows:

‘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.'

Other applications in the area:

ABP Ref. 313216-22 refers to a July 2025 decision to refuse permission for a Strategic Housing Development consisting of 280 no. apartments, creche and associated site works on lands to the east of the subject site. Two reasons for refusal were issued, in summary as follows:

1. The unit mix was not in accordance with Objective 11.2 of the Cork City Development Plan 2022 – 2028, and the proposed development would materially contravene the Cork City Development Plan.
2. The proposed development by reason of its excessive and sustained scale, bulk and mass combined with its height and plot ratio, would be visually

obtrusive, would constitute a substandard form of development and would be contrary to the proper planning and sustainable development of the area.

ABP-315820-23 refers to a September 2024 decision to refuse permission for the construction of 92 apartments, crèche, and all associated site works. This site is located at the southeastern corner of the subject site within the historic curtilage of Bessborough House. Two reasons for refusal were given as follows:

1. Having regard to the Boards decision to refuse permission for a previous application (ABP-308790-20), the Board is satisfied that no new material information or evidence has been presented in this application to substantiate a different conclusion following that previous decision. The Board considers that the potential exists for the presence of human remains and/or burials at this proposed development site associated with the former use of the lands as a Mother and Baby Home over the period 1922 to 1998. The Board considers it would therefore be premature to grant permission for this proposed development prior to establishing the extent of human remains and/or burials, if any, and that such matter extends beyond the scope of normal planning conditions particularly having regard to the impacts this may have on the development as proposed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the height, scale and design of the proposed apartment blocks, and to their poor relationship to the historic landscape which forms the setting of Bessborough House, a Protected Structure, and its folly and landscaped gardens, it is considered that the proposed development, notwithstanding the revised scheme submitted with the grounds of appeal, would result in isolated residential blocks which would be visually obtrusive within the curtilage and adversely affect the character and setting of the Protected Structure and the associated folly which sits within a Landscape Protection Zone, and would comprise haphazard, piecemeal development

which would dominate this historic landscape and detract from the character of the landscape which is designated as an Area of High Landscape Value in the Cork City Development Plan 2022-2028. The proposed development, therefore, seriously injure the visual amenity and heritage assets of this important historic landscape, would be contrary to Objectives 6.12 and 6.13 (Landscape), and 8.19 and 8.20 (Protected Structures) in the development and would, therefore, be contrary to the proper planning and sustainable development of the area.

ABP-309560-21 refers to a July 2021 decision to refuse permission for 67 apartments and site works. This site is on lands within the curtilage of Bessborough House adjacent to the subject site. The single reason for refusal referred to the location of the site within lands zoned ZO12 – Landscape Preservation Zone and the proposed development by reason of its location, height and scale would result in a haphazard form of development that would result in an isolated apartment block in a protected landscape.

ABP-308790-20 refers to a May 2021 decision to refuse permission for 179 no. apartments, creche and all associated site works within the curtilage of Bessborough House adjacent to the subject site. A single reason for refusal referred to the former Mother and Baby Home and the development would be premature prior to establishing if there is a children's burial ground located within the site and the extent of any burial ground.

4.0 Appeal

The first party, and two third parties, listed below, have appealed the decision of Cork City Council to grant permission for this development:

- Bessboro Mother and Baby Home Support Group
- Peter Horgan

Peter Horgan has requested that an Oral Hearing be held. His grounds of appeal are as follows:

1. The Applicant and Planning Authority have failed to adequately address the previous reasons for refusal relating to the 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;
2. Condition No. 10 is not in accordance with the Guidelines for Planning Authorities for Development Management;
3. The Environment Impact Assessment has failed to adequately consider alternative proposals;
4. The development represents piecemeal, ad hoc development of a historic landscape.

He recognises the need for housing but considers this development to not be in accordance with the proper planning and sustainable development of the area and requests that permission be refused. Each of the four grounds of appeal are detailed in their appeal statement.

5.0 Need for Oral Hearing

As reported, two third party appeals were received, and one requested that an Oral Hearing be held. This appeal has identified four grounds of appeal, and the appeal statement provides a detailed explanation for each of these. These issues will be considered in full in the Inspector's report/ assessment, but I note the following at this time in relation to the four grounds of appeal:

1. The applicant's Planning Statement includes Chapter 5 - 'Cultural Heritage Legacy Considerations' and which addresses the issues raised in the previous refusal of permission on this site. I also refer to the applicant's Architectural Statement, and I note the 'Stakeholder Engagement' section which outlines the background to this application.

2. I note the comments regarding Condition No. 10 and the appropriateness or not of this will be considered in the assessment of this appeal.
3. Section 3 of the EIAR Non-Technical Summary provides 'Alternatives Considered' and these are further detailed in Appendix 3 – 'Alternative Considered'.
4. The nature of the development will be considered in the assessment of the appeal. I note the EIAR was submitted having regard to the overall development of lands here and the submitted Architectural Statement was submitted on the same basis.

I note the issues raised and whilst an Oral Hearing is sought, the grounds of appeal do not raise a specific need for such to be held. I am satisfied that adequate information has been provided by the applicant to enable an assessment of the proposed development. The grounds of appeal refer to four specific items as set out in Section 4.0 of this memo, and I am satisfied that the applicant's submitted documentation is adequate for these grounds to be fully assessed. The appeal will be assessed on its merits and there is no indication at this stage of the appeal process that the holding of an Oral Hearing would elicit additional vital information.

I therefore consider that the issues arising in this case would not warrant the holding of an oral hearing as the matters raised can be considered in the context of the information provided by the applicant. Whilst the convening of a hearing may elicit additional information, the nature of the proposed development is clear, and the holding of an oral hearing would not expediate the assessment and subsequent making of a recommendation to the Commission.

I therefore recommend that an oral hearing not be held in this instance.



Paul O'Brien

Senior Planning Inspector

12/05/2026



Daire McDevitt

21/5/26

Assistant Director of Planning