



An
Bord
Pleanála

Board Order
ABP-321215-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: T.P. 24/42877

Appeal by Kieran and Tara Dwyer and others care of John MacCarthy and Partners of 16 Mary Street, Cork against the decision made on the the 15th day of October, 2024 by Cork City Council to grant subject to conditions a permission to Shane and Laura O'Leary care of E.R. Design Architects Limited of 27 Manor Orchard, Thornbury View, Rochestown, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a two-storey extension with single storey extensions to the side and rear, to the side of the existing dwelling house, relocation of the existing stairs to the new extension with skylight overhead, alterations to existing dwelling including new windows and doors, proposed garden wall with new timber garden gate and all associated site works at 182 Curragh Woods, Frankfield, Cork.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature, scale and extent of the proposed extension, the existing residential use on site, the separation distance to adjacent properties and the relevant provisions of the Cork City Development Plan 2022-2028, it is considered that the proposed development, subject to compliance with the conditions set out below, would comply with section 11.142 and section 11.143 of the Cork City Development Plan 2022-2028, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would constitute an acceptable form of development at this serviced location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development for the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 18th day of September 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All external windows to bathrooms, ensuites and W.C rooms shall be made obscure or opaque.

Reason: In the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be as submitted with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 18th day of September 2024, unless otherwise agreed in writing with, the planning authority.

Reason: In the interest of visual amenity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Stephen Bohan

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this 27th day of February 2025