



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320685-24

<b>Development</b>	Single storey extension to rear of existing dwelling		
<b>Location</b>	Newmarket Road, Kanturk, Co. Cork		
<b>Planning Authority Ref.</b>	236563		
<b>Applicant(s)</b>	Orla Walsh		
<b>Type of Application</b>	Permission	<b>PA Decision</b>	Grant
<b>Type of Appeal</b>	Third Party	<b>Appellant</b>	Grace Murphy
<b>Observer(s)</b>	None		
<b>Date of Site Inspection</b>	22/01/2025	<b>Inspector</b>	Lorraine Dockery

- 1. Site Location/ and Description.** The subject site, which has a stated area of 0.09 hectares, is located on the Newmarket Road, Kanturk, Co. Cork. The site contains a semi-detached, two-storey dwelling with single storey extension to rear, with total stated floor area of 114m<sup>2</sup>. The general area is residential in nature.
- 2. Proposed development.** Construction of single storey extension to rear of existing dwelling. The stated floor area of the proposed works is 73m<sup>2</sup>.
- 3. PA's Decision** Grant permission, subject to 15 conditions.

Further Information was requested by the PA in relation to boundary matters, Demolition Plan for rear shed, Asbestos Management Plan, location of rainwater goods, measures to improve sightlines and surface water matters.

On foot of FI request, the proposed extension was relocated 1m from the common boundary and floor area increased to stated 77.7m<sup>2</sup>.

#### **4. Planning History.**

None

#### **5.1. National/Regional/Local Planning Policy**

- Cork County Development Plan 2022-2028 applies, which has regard to national and regional policies in respect of residential development.
- Zoning: Existing Residential/Mixed Residential and Other Uses
- Objective ZU 18-9- New residential development should normally respect the pattern and grain of existing urban development in the surrounding area

#### **5.2 Natural Heritage Designations**

- None

### **6. The Appeal**

#### **6.1 Third Party Appeal.** Grounds:

- Concerns regarding impacts on sewerage pipe; previous issues with blockages; capacity of infrastructure to deal with proposed extension
- No issue with proposed development provided appropriate sewerage system installed

#### **6.2 P.A. Response**

- No further comment to make, all relevant issues have been covered in the technical reports

#### **6.3 First Party Response**

- Refutes grounds of appeal
- Matters dealt with by PA during application process

- Appeal matters not raised in submission to PA
- Not aware of any blockages in sewer; any such blockages would be downstream of applicant's property

#### **7. EIA Screening:**

See completed Form 1 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

#### **8. AA Screening:**

Having regard to the modest nature and scale of development, its location in an urban area, connection to existing services and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **9.0 Assessment**

- 9.1 I have read all the documentation attached to this file including the appeal, the report of the Planning Authority and responses received, in addition to having visited the site. The proposed works involve a relatively minor development, namely a single-storey extension to rear of existing dwelling.
- 9.2 The primary issues, as I consider them, are the impact of the proposed works on the local drainage network.
- 9.3 I note the planning authority dealt with the matter of surface water disposal as part of their request for Further Information. This matter was addressed by the applicant in the response to same, who identified a 150mm Aco drain which will discharge to a

nearby soakpit within the site. The planning authority were satisfied in this regard. The report of the Area Engineer notes that the proposal seeks to use the existing connection to both the public watermain and public sewer. They had no issue in relation to this matter.

- 9.4 I note that while the appellant raises issue in relation to blockages, no documentary evidence relating to same has been submitted with the appeal. I consider this to be a relatively minor development and have no information before me to believe that the existing system does not have capacity to accommodate a development of the nature and scale proposed. I am generally satisfied in this regard, subject to condition.
- 9.5 I am generally satisfied with the remainder of the proposed development. The proposal is considered to be in compliance with the zoning objective for the site. Having examined the information before me, and noting the site orientation and levels, I am satisfied that the proposed works would not unduly overbear, overlook or overshadow adjoining properties. I consider any potential impacts to be reasonable, having regard to the need to provide additional development within an area where residential development has been accepted in principle; to the existing pattern and scale of development within the area and to the overall scale of the development proposed.
- 9.6 I highlight to the Board that the floorplan of the proposed extension with link to main dwelling is such that it could be easily used as a separate residential unit. The applicant has not applied for such in this current application. I recommend that if the Board is disposed towards a grant of permission that a condition stipulating that the property be used as a single dwelling unit be attached to any such grant.
- 9.7 Having regard to all of the above, I am satisfied that the proposed development is in accordance with the provisions of the operative County Development Plan, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

## **10. Recommendation**

I recommend that permission for the development be GRANTED.

## 11. Reasons & Considerations

Having regard to the location of the site within a residential area; to the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual or residential amenities of property in the vicinity; would not be prejudicial to public health and is consistent with the pattern of development in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12. Conditions

1.	<p>The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by Further Information received by the planning authority on the 18<sup>th</sup> day of July 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.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>The subject dwelling shall be used as a single dwelling unit only and shall not be sub-divided in any manner or used as two or more separate habitable units.</p> <p><b>Reason:</b> In the interests of sustainable development and proper planning</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>

4.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and surface water management</p>
5.	<p>Site development and building works shall be carried out only 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.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity.</p>
6.	<p>The developer shall comply with all requirements of the planning authority in relation to transport and traffic matters</p> <p><b>Reason:</b> In the interests of public safety</p>
7.	<p>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.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Lorraine Dockery  
Senior Planning Inspector  
28<sup>th</sup> January 2025

# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála Case Reference</b>	ABP-320685-24		
<b>Proposed Development Summary</b>	Extension to rear of dwelling		
<b>Development Address</b>	Newmarket Road, Kanturk, Co. Cork		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>	X		Tick if relevant. No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
<b>No</b>			Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>	X	Screening determination remains as above (Q1 to Q4)	



Yes		Screening Determination required
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**Inspector:** Lorraine Dockery    **Date:** 28/01/2025