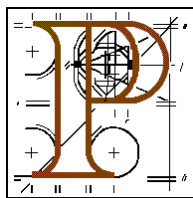


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2006

Cork City

Planning Register Reference Number: T.P.06/31269

An Bord Pleanála Reference Number: PL 28.220958

APPEAL by Michael and Mary P. Brady care of McCutcheon Mulcahy of 6 Joyce House, Barrack's Square, Ballincollig, County Cork against the decision made on the 15th day of November, 2006 by Cork City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: A change of use of the Gate Lodge (protected structure RPS 620) from residential to office and residential use at The Gate Lodge, Atkins Hall, Lee Road, 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

It is considered that the proposed change of use, subject to compliance with the conditions set out below, would not adversely impact on the landscape character, would not seriously injure the amenities or depreciate the value of properties in the vicinity of the site and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board did not consider itself constrained in granting permission by reason of the reference to material contravention of the Development Plan in the planning authority's reason for refusal having regard to the provisions of Section 37(2)(b)(iv) of the Planning and Development Act, 2000 and the permission granted under planning register reference number T.P.05/29366.

CONDITIONS

1. The windows in the original building shall be replaced by timber windows of appropriate design prior to implementation of the change of use. Details of the replacement works shall be submitted to the planning authority for agreement prior to commencement of development.

Reason: In the interest of conserving a protected structure.

2. The placement of any sign, advertising material or nameplate on the building, site boundary or site curtilage shall be the subject of a separate grant of planning permission.

Reason: In the interest of safeguarding the integrity of the protected structure and its surroundings.

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

Dated this day of 2007.