

An
Bord
Pleanála

Board Direction
BD-016858-24
ABP-318541-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/06/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the location of the site, the design and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure residential or visual amenities, established character or appearance of the area, would not give rise to any undue road safety or inconvenience issue for existing road users in its vicinity and would comply with Paragraphs 11.142 and 11.143 of the Cork City Development Plan 2022-2028 in relation to domestic extensions. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 24th day of October, 2023, 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. (a) Revised cross sections showing correct topographical levels of the existing and proposed additions. The cross sections shall show existing and proposed relationship relative to existing residential properties adjoining the site.
- (b) Revised drawings showing an alteration to the proposed first floor bedroom window/balcony to the front elevation to ensure that it corresponds with the existing windows on the front elevation, in particular to ensure that cill heights and head heights correspond, and to remove the balcony/railing element.
- (c) Revised drawings showing the proposed side extension so that the proposed extension is either flush with the front building line, or stepped slightly back from same, with the removal of the gable from the front elevation and ensuring that the eaves line is maintained across the front to correspond with the existing.
- (d) The southern side elevation window shall be replaced with a high-level window of no more than 1m in height and 1.5m in width. The positioning of this window shall align with cill height of the existing first floor level side elevation window of the existing dwelling.
- (e) The modified entrance serving the host property shall not exceed 3m in width with the existing roadside boundary made good, including the provision of replacement matching pillars, and shall be fitted with inwardly opening gates.
- (f) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site or as otherwise agreed with the Planning

Authority. In this regard, no surface water from paved front setback area, roofs or otherwise shall discharge onto the public road or adjoining properties.

(g) The setback area shall include additional planting of side and front boundaries.

(Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development).

Reason: In the interests of orderly development as well as the visual and residential amenity of the area.

3. The existing dwelling and proposed extension shall be jointly occupied as a single housing unit. The extension shall not be subdivided from the remainder of the dwelling and sold or let as a separate dwelling unit. The overall dwelling shall be used for domestic related purposes only and not for any trade, workshop, or other non-domestic use.

Reason: In the interests of clarity and to regulate the use of the development in the interest of the proper planning and sustainable development of the area.

4. Details of the materials, colours, and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. The developer shall comply with all requirements of the planning authority in relation to any modifications of the adjoining public domain, including any amendments to the adjoining pedestrian footpath.

Reason: In the interest of pedestrian and traffic safety and the proper planning and sustainable development of the area.

7. All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.


8. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

9. 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.

Board Member



Joe Boland

Date: 27/06/2024