



An
Bord
Pleanála

Board Direction
BD-018395-24
ABP-320489-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/12/2024.

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 provisions of the Cork City Development Plan, 2022-2028, Zoning Objective ZO1 and the Placemaking and Development Management Standards set out in Chapter 11 thereof, and to the Development Standards for Housing set out in the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, DHLGH (Jan 2024), it is considered that, subject to compliance with the conditions set out below, the adaptation and extension of the existing dwellinghouse on site would not be out of character with the established development in the area, would not have a negative impact on the amenity of neighbouring residential properties or the visual amenities of the area and, as such, would be consistent with the proper planning and sustainable development of the area.

Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 the commencement of development and the development shall be carried out and completed in strict accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The front boundary treatment shall consist of soft landscaping such as low-level planting or hedging only in accordance with details to be agreed with the planning authority prior to the commencement of development. The proposed upper timber railing, vertical supporting posts and gates shall be omitted.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p>Reason: To restrict the use of the extension in the interest of residential amenity.</p>
4.	<p>The attenuation and 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.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which</p>

	<p>shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and amenity.</p>
6.	<p>Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 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.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</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>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.</p>

Board Member

Eamonn James Kelly
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Date: 06/12/2024

Note

The Board concurred with the decision of the planning authority and did not agree with the Inspector in respect of the matter of overlooking of the adjacent dwelling considering it, on balance, to be insignificant relative to the prevailing situation. The Board therefore did not include the Inspector's recommended Condition number 3.