

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork City

Planning Register Reference Number: T.P.15/36574

An Bord Pleanála Reference Number: PL 28.245973

APPEAL by Mairead and Kieran Golden of “Saint Enda’s”, Bishopstown Avenue West, Model Farm Road, Cork against the decision made on the 1st day of December, 2015 by Cork City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a single storey extension to rear, reinstatement of first floor window to west elevation, replacement of velux roof light with dormer window to north elevation, and internal alterations along with all associated site works, all at “Saint Enda’s”, Bishopstown Avenue West, Model Farm Road, Cork.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **REMOVE** condition number 3 and the reason therefor and to **AMEND** condition number 2 so that it shall be as follows for the reason set out.

2. The proposed development shall be amended as follows:-

- (a) the box dormer window proposed on the northern elevation of the dwelling house shall be omitted and replaced with a suitable roof light.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

REASONS AND CONSIDERATIONS

It is considered that the rear extension has been designed so as not to unduly impinge on the amenities of neighbouring property and that the reduction in length required by condition number 2 is not necessary. It is considered that omission of the proposed dormer window is necessary in order to protect the amenities of the adjoining property.

Having regard to the siting of the proposed extension to the rear of the property and in light of the details provided on the submitted plans and particulars in relation to the proposed materials and external finishes, it is considered that the attachment of condition number 3 is not necessary in context of the proper planning and sustainable development of the area.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2016.