

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 16/04668

An Bord Pleanála Reference Number: PL 04.246721

APPEAL by Patrick J. Pyne care of The Planning Partnership of via Fulcrum Unit 10a, South Ring Business Park, Kinsale Road Roundabout, Kinsale Road, Cork against the decision made on the 16th day of May 2016 by Cork County Council to grant permission to Steve Paget and Alana Conroy care of ACS Consulting of 34 The Avenue, Highfield park, Ballincollig, County Cork for development comprising retention of an attic conversion for storage use including retention of dormer window to rear of dwellinghouse at 5 Ringcurran Grove, Ardbrack, Kinsale, County Cork in accordance with the plans and particulars lodged with the said Council.

DECISION

GRANT permission for the retention of the attic conversion for storage use in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the retention of the dormer window to rear of dwellinghouse based on the reasons and considerations marked (2) under.

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.

REASONS AND CONSIDERATIONS (1)

Having regard to the nature and extent of the development, being the retention of attic conversion, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained 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 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. The converted attic space shall not be used for habitable purposes.

Reason: In the interest of clarity.

REASONS AND CONSIDERATIONS (2)

It is considered that, by reason of its size and design, the dormer window to be retained would materially alter the roof of the existing dwelling, would be at variance with the established pattern of development in the area and would be visually incongruous. Furthermore, the proposed development would seriously injure the amenities of adjoining property, by reason of overlooking and loss of privacy, and would set an undesirable precedent for similar type development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.