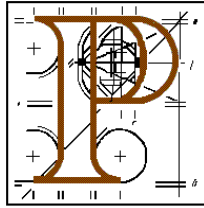


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Cork County**

**Planning Register Reference Number: 16/06871**

An Bord Pleanála Reference Number: PL 04.247990

**APPEAL** by Patrick Maguire care of John Maguire of 13 Saint Joseph's Place, Courtmacsherry, Bandon, County Cork against the decision made on the 17<sup>th</sup> day of January, 2017 by Cork County Council to grant subject to conditions a permission to Brian and Elaine Whelan care of M. Byrne Architecture Limited of Phoenix House, Monahan Road, Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a two-storey extension to the side and rear of dwellinghouse which includes (a) alterations and raising of roof of existing single storey section to rear, (b) conversion and extension of attic roof space to habitable accommodation to include a dormer window and two number velux windows to the rear roof and one number velux to front roof, (c) new windows to gable of new extension at first and attic floor levels and all associated site works, all at Number 55 Yewlands, Maryborough Woods, Douglas, 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.**

## 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

Having regard to the overall design and scale of the development proposed, the location of the appeal site and the established pattern of residential development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the character or 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 proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by An Bord Pleanála on the 14<sup>th</sup> day of March 2017, 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 external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

3. Prior to the commencement of development, final details (including elevation drawings and foundation details) of the proposed external finish of the eastern extension in terms of its tie in with the existing wall and containment within the landowner's property shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of orderly development.

4. Water supply and drainage arrangements, including the 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.

5. 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.

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

**Dated this            day of            2017.**