



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/05311

Appeal by Maurice O’Keeffe of Gortroe, Lombardstown, Mallow, County Cork against the decision made on the 25th day of September, 2018 by Cork County Council to grant subject to conditions permission to Paul and Michelle Crowley care of Kieran O’Connor of Clogheen House, Mourne Abbey, Mallow, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of an extension to an existing dwelling, demolition of a front porch and a rear extension, widening of an existing entrance, upgrading of the on-site sewage treatment unit and all associated site works at Gortroe, Lombardstown, County 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 location of the site within the settlement boundary, to the orientation of the proposed two-storey extension and the separation distance to adjoining property, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of residential property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 submitted on 30 August 2018 by way of further information, 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 commencement of development the following matters shall be agreed with the planning authority -
 - (a) Landscaping of the site, including the retention of trees on the site boundaries, as appropriate, and
 - (b) details of finishes to the site entrance and front boundary with the public road.

Reason: In the interests of visual and residential amenities.

4. 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.

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

Dated this day of 2019.