



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/00397

Appeal by Sue Brown care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 2nd day of August, 2019 by Cork County Council in relation to the application for permission for development comprising retention of (1) the construction of a ground floor extension and alterations to attached garage and for the partial use of same as living accommodation; (2) the replacement of a full length window with an external door at first floor level; (3) the construction of a metal glazing track fitted on top of the parapet of an existing flat roof and permission for the erection of a glazed balustrade around an existing flat roof and for the use of same as a first-floor roof terrace, all located to the rear/southern side of a dwellinghouse at Rock Cottage, Downeen, Rosscarbery, County Cork in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for the retention of the ground floor extension of the attached garage and partial use as living accommodation and to refuse permission for retention of replacement of a full length window with external door at first floor level, construction of metal glazing track fitted on top of the parapet of existing first floor roof, permission for use of the existing flat roof as a first floor terrace and for permission to erect a glazed balustrade around perimeter of existing flat roof).

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 existing pattern of development in the area and to the design, nature and scale of the development proposed for retention and completion, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential amenities of property in the vicinity, in terms of overlooking or the visual amenities of the area. The proposed development would, therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 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. A minimum 1.8 metres high opaque glazed screen shall be permanently retained on the eastern and western sides of the first floor terrace.

Reason: In the interest of residential amenity.

3. The garage extension shall be used solely for purposes incidental to the enjoyment of the dwelling house.

Reason: In the interest of clarity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

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

Dated this day of 2019.