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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 19/38298**

**Appeal** by Mary Treacy of 24 Copperhill, Ballintemple, Cork against the decision made on the 9<sup>th</sup> day of September, 2019 by Cork City Council to grant subject to conditions a permission to Kathleen Tierney care of Corbel Developments Limited of Lindville Lodge, Blackrock Road, Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Extension and refurbishment of existing dwelling unit including raising the existing roof level to incorporate habitable accommodation together with dormer windows and all ancillary works at 3 Avondale, Churchyard Lane, Ballintemple, 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 design and limited scale of the proposed development, the existing building on site and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the residential amenities of adjoining properties and would not compromise the character and setting of the Architectural Conservation 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 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 the 12<sup>th</sup> day of August, 2019, 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 windows to all elevations and the front door to the front elevation shall be of timber, and the proposed dormers shall be finished in dark grey profiled zinc sheeting and not rusticated plaster. Otherwise, the external finishes and materials of the proposed development shall be in accordance with the plans and particulars submitted on the 12<sup>th</sup> day of August, 2019.

**Reason:** In the interest of visual amenity and having regard to the location of the subject development within an Architectural Conservation Area.

3. (a) Gates/doors shall be recessed and/or be incapable of opening outwards, steps and access ramps shall be recessed or contained within the curtilage of the proposed development, in order not to impede or obstruct the public road or footpath.
- (b) Surface water from the site shall not run across the public footpath (or road).

**Reason:** In the interest of pedestrian and traffic safety.

4. 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 and to ensure a proper standard of development.

5. The existing overhead cables crossing the subject site shall be undergrounded, or relocated, to details to be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual amenity and public safety.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020.**