



Planning and Development Acts 2000 to 2019

Planning Authority: Cork City Council

Planning Register Reference Number: T.P.19/38621

Appeal by Michelina Fox care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 16th day of December, 2019 by Cork City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for works to a dwellinghouse consisting of: 1. construction of a new ground floor, single storey extension on the northern elevation, 2. replacement of existing kitchen roof as part of the new extension, 3. replacement of existing kitchen door and construction of new access steps on the southern elevation, 4. partially raise the ridge of existing roof and incorporate two new dormer windows on the southern elevation to facilitate a new habitable office space, 5. carry out all associated site works, all at "Riverview", Montenotte Road, Tivoli, Cork, County Cork

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be

warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the provisions of the Cork City Development Plan 2015-2021 and to the pattern of development in the area, the Board is satisfied that condition number 2 was appropriately applied by the planning authority. The Board considered that the proposed amendments would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area and, therefore, directs the planning authority to attach condition number 2.

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.

Paul Hyde

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

Dated this day of 2020.