

---

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cork City Council**

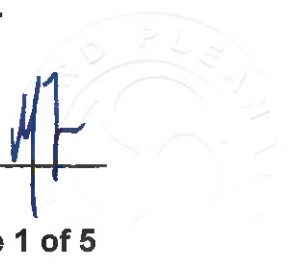
**Planning Register Reference Number: T.P. 21/39847**

**Appeal** by Anne Browne care of Declan Tyner of Hillsden, Montenotte, Cork against the decision made on the 17<sup>th</sup> day of June, 2021 by Cork City Council to grant subject to conditions a permission to Paul Fenton care of John Barrett of The Lodge, Old Blarney Road, Clogheen, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission is sought for the demolition of the existing single storey annex to the rear of the dwelling and the construction of a dormer style extension to the rear of the dwelling and for permission for alterations to the existing side elevations of the dwelling at number 88 Primrose Hill, Tower, Blarney, 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 Blarney Macroom Municipal District Local Area Plan 2017 and the relevant planning history of the Primrose Hill housing estate, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the existing built-up area zoning of the site and would not seriously injure the visual and residential 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 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 25<sup>th</sup> day of May 2021, 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 proposed development shall be amended as follows:
- (a) The staircase window shall be glazed with obscure glass in the western side elevation of the existing dwelling house.
  - (b) The high-level window in the western side elevation of the proposed extension shall be glazed with obscure glass.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Thereafter, these windows shall only be glazed with obscure glass for the duration of the dwelling house and extension upon the site.

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

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

4. Site development and building works shall be carried out only between the hours of 0700 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 residential amenities of property in the vicinity.

5. 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.

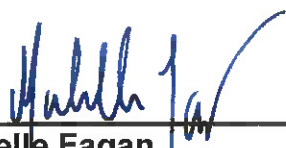
**Reason:** In the interest of visual amenity.

6. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. 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 16<sup>th</sup> day of November 2021.