



An  
Bord  
Pleanála

**Board Order**  
**ABP-313075-22**

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 21/40773**

**Appeal** by Nicholas and Linda Fahy care of Barrett and Associates of Santa Maria, Springfort, Montenotte, Cork against the decision made on the 25<sup>th</sup> day of February, 2022 by Cork City Council in relation to the application for permission for development comprising retention and completion of development at dwellinghouse, namely, permission for first floor development to provide bedroom accommodation, including removal of existing roof and building new raised roof with new gables at either side with raised ridge, new dormer roofs at front south east facing and rear north west facing with new velux roof window to front, new balcony area over existing flat roof extension at north east facing side with new double doors access at gable from first floor; new porch and access steps at front south east facing elevation; new single storey extension to existing rear extension; extend existing driveway at front garden and general alterations including new window at west facing elevation at ground floor; permission for retention and completion is sought for detached granny flat at north eastern side of site; (existing foundations and site works to be retained); all at Englewood, number 30 Byefield Park, Mayfield, Cork in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for permission for first floor development to provide bedroom accommodation, including removal of existing roof and building new raised roof with new gables at either side with raised ridge, new dormer roofs at front south east facing and rear north west facing with new velux roof

window to front, new balcony area over existing flat roof extension at north east facing side with new double doors access at gable from first floor; new porch and access steps at front south east facing elevation; new single storey extension to existing rear extension; extend existing driveway at front garden and general alterations including new window at west facing elevation at ground floor; and to refuse permission for permission for retention and completion is sought for detached granny flat at north eastern side of site; [existing foundations and site works to be retained];).

## **Decision**

**Having regard to the nature of the condition 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 REMOVE condition number 3 and the reason therefor.**

## **Reasons and Considerations**

Having regard to –

- (a) the Cork City Development Plan 2022 – 2028,
- (b) the Zoning “ZO 01”, ‘Sustainable Residential Neighbourhoods’ as set out in the development plan,

- (c) the mixed styles present in the area and given that the City Development Plan supports the retention and adaptation of the existing housing stock to suit evolving needs, and
- (d) the modest scale of the overall extension and design of the front dormer interventions,

it is considered that the proposed development would contribute positively to the character and distinctiveness, and would not detract from, the character and appearance of the area and its setting, would, therefore, comply with the provisions of the development plan and be in accordance with the proper planning and sustainable development of the area.

*Eamonn James Kelly*

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



Dated this *20<sup>th</sup>* day of *June* 2023