



An
Bord
Pleanála

Board Order
ABP-313902-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 22/40998

Appeal by Roy Hegarty of 66 Father Matthew Road, Turners Cross, Cork against the decision made on the 31st day of May, 2022 by Cork City Council to grant subject to conditions a permission to Stephen Marsh care of DL Group Consulting Engineers of 1 Hodder's Villas, Ballincollig, Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission and retention and completion of works to existing semi-detached bungalow, consisting of the following works currently under construction (1) alterations to front boundary wall to provide wider vehicular gated entrance to serve existing dwelling, (2) minor alterations to west, east and south facing elevations, (3) instillation of five number roof lights (including one number balcony type to the rear of the property), (4) construction of single-storey flat-roof extension to rear of existing dwelling, and (5) all associated completed and ongoing site works at 4 Mount Pleasant Road, Turners Cross, 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.

Reasons and Considerations

Having regard to the pattern of development in the area and to the scale, nature and design of the works to be retained and completed, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention and completion would not seriously injure the amenities of the area or of property in the vicinity and 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 further 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The roof of the single storey rear extension shall not be used as a balcony or terrace.

Reason: To protect the amenities of adjoining property.

3. The balcony type roof light on the east elevation shall be replaced with standard opening roof lights within six months from the date of this Order.

Reason: To protect the amenities of adjoining property.

4. The roof space of the dwelling shall be used for storage purposes only and shall not be used for habitable purposes.

Reason: In the interest of clarity.



5. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

6. 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 with three months of the date of this Order 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.



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

Dated this *5th* day of *July*, 2023