

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 2241294

APPEAL by Thomas Kiely care of CEA Architects of 15 Mill Road, Midleton, County Cork against the decision made on the 20th day of September, 2022 by Cork City Council to refuse permission for the proposed development.

Proposed Development: (1) Retention for a hipped roof, extension to the front elevation at ground floor and first floor, extensions to the rear and side elevations at first floor and elevational changes to the original dwelling, including stone cladding to all elevations. (2) Retention for alterations to the original roadside boundary wall. (3) Permission for a new guarding at first floor to the front elevation of the original dwelling. (4) Permission to construct a detached domestic garage, all at Hawthorn, Dublin Pike, County Cork.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

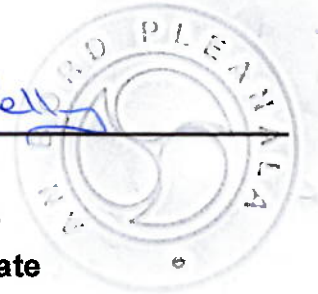
Reasons and Considerations

Having regard to the Cork City Development Plan 2022-2028, to the zoning of the site "ZO 1 Sustainable Residential Neighbourhoods", to the zoning objective ZO 1.1 that provides for the provision and protection of residential uses and residential amenity as a central objective, to the zoning objective ZO 1.2 that requires development in this zone should generally respect the character and scale of the neighbourhood in which it is situated and development that does not support the primary objective of this zone will be resisted, to the criteria in section 11.143 for the assessment of development within a neighbourhood and the adaptation of existing homes through extensions, the Board considered the pattern of the developments proposed for retention and permission by their nature, scale and massing are not consistent with the pattern, form and character of the pre-existing building and do not respect the character and scale of the neighbourhood in which it is situated. The developments proposed for retention and permission would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted from the Inspector's report that the subject dwelling to be retained bears little resemblance to the previous dwelling on site. In having regard to the application before it, the Board concurred with the assessment of the planning authority and did not agree with the Inspector that the development complies with the criteria, in particular criteria 1-3, set out in section 11.143 of the Development Plan against which extensions should be assessed.

Eamonn James Kelly

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



Dated this *14th* day of *May*, 2024.