



Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 23/04376

Appeal by P.J. and Ciara Copse of Cooleens, Charleville, County Cork against the decision made on the 27th day of April, 2023 by Cork County Council in relation to an application for permission for retention of (a) height of extension to ridge height as constructed, and (b) garage as constructed with regard to orientation, position on site and finished ridge height with reference to previous planning application planning register reference number 17/6589 at Cooleens, Charleville, County Cork in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for retention of height of extension to ridge height as constructed and to refuse permission for retention of garage as constructed with regard to orientation, position on site and finished ridge height with reference to previous planning application planning register reference number 17/6589).

Decision

GRANT permission for retention of height of extension to ridge height as constructed in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for retention of garage as constructed with regard to orientation, position on site and finished ridge height with reference to previous planning application planning register reference number 17/6589 based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the nature and scale of the development, the pattern of development in the area and the planning history of the site it is considered that, subject to compliance with the conditions set out below, the ridge height proposed to be retained would not seriously injure the residential or visual amenities of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This element of the development shall be retained in accordance with the 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 and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The front boundary wall shall be repositioned in its entirety in accordance with the position of the front boundary wall permitted under planning register reference number 17/6589 within three months of the date of this Order.

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Reason: In the interest of road safety.

3. The grass margin shall be level with a minimum of 100 millimetres of topsoil and seeded with grass and shall otherwise be kept clear and maintained by the developer.

Reason: In the interest of proper and orderly development.

4. Any additional surface water created as a result of this development shall be catered for within the site and not allowed flow onto the public road.

Reason: In the interest of proper and orderly development.

Reasons and Considerations (2)

Having regard to the scale, orientation and positioning of the garage structure in close proximity to the boundary of the adjoining property, it is considered that the structure is visually obtrusive, dominant and overbearing and is seriously injurious to the residential amenities of the adjoining property. The retention of the garage is, therefore, considered to be contrary to the proper planning and sustainable development of the area.



Una Crosse

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

Dated this 25th day of September 2023.