



An  
Bord  
Pleanála

## Board Order ABP-317955-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 23/05374**

**Appeal** by Patrick Lane of 16 Ringmeen Estate, Cobh, County Cork against the decision made on the 25<sup>th</sup> day of August, 2023 by Cork County Council to grant subject to conditions a permission to Simon and Irene Dow of 15 Ringmeen Estate, Ballyvoloon, Cobh, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of (a) vehicular entrance, (b) single storey rear and side extension, (c) single storey garden room/store to rear garden, and (d) single storey front porch, at 15 Ringmeen Estate, Ballyvoloon, Cobh, County Cork.

### **Decision**

**GRANT permission for the above 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 Cork County Development Plan 2022-2028, the nature, scale and design of the development proposed to be retained with respect to visual and residential amenity, and other impacts, and the surrounding pattern of development, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not give rise to unacceptable impacts and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered that the onus is on the applicant to ensure adequate legal interest in the land on which the development to be retained is situated, and that any dispute in relation to the title of land is outside the Board's remit.

## Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application received by the planning authority, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. The existing dwellinghouse and extensions to be retained shall be jointly occupied as a single residential unit and the rear extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwellinghouse.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

3. The outbuilding to be retained shall be used for purposes ancillary to the enjoyment of the main dwellinghouse and shall not be used for any other purposes. It shall not be used for human habitation and no sanitary fittings shall be installed. It shall not be sold, conveyed or leased separately from the main residence and, when the need for the family flat no longer exists, the unit shall be returned to a garden storage unit.

**Reason:** To protect the amenities of property in the vicinity and in order to comply with the objectives of the current development plan for the area.

4. The entrance recess between the public road edge and entrance gate shall be set level with the public road surface edge to the satisfaction of the planning authority and shall not extend beyond the road surface edge.

**Reason:** In the interest of road safety.

5. The footpath at the entrance to the site shall be dished. The works in this regard shall be submitted to, and agreed in writing with, the planning authority within six months of the date of this Order.

**Reason:** To ensure satisfactory access to the site from the public roadway.



**Stephen Brophy**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this 3<sup>rd</sup> day of May 2024