

An
Coimisiún
Pleanála

Commission Order
ABP-319744-24

Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: 2442701

Appeal by Denis and Catherine O'Mullane care of FP Logue LLP of 8-10 Coke Lane, Smithfield, Dublin against the decision made on the 22nd day of April 2024, by Cork City Council to grant, subject to conditions, a permission to Michael and Patricia Scanlan care of Denis Lombard of 63 Rocklands, Carrigane Road, Carrigtwohil, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Sub-division of existing two-storey dwelling house to two separate accommodations and construction of extensions to the south and east facing elevations, provide a garden fence at the eastern and southern side, with all associated site works at Meadowbank, Orchard Road, 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 site area, which includes two established vehicular access/egress points, to the nature of the proposed development which incorporates subdivision of the sizeable established dwelling form, into two separate dwellings, along with two modest single storey extension elements, the location of the site in a serviced urban area, the pattern of development in the area, incorporating both larger detached dwellings and redevelopment sites, the relevant provisions of the Cork City Development Plan 2022-2028, including the residential zoning objective, and those related to design quality, quantitative standards for houses and private amenity space, the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), it is considered that, subject to compliance with the conditions set out below, the proposed development

- (a) would provide an acceptable design and standard of residential accommodation in the two created dwellings,
- (b) would include modest building extensions which would have no material impact on the amenity of the subject site,
- (c) would not seriously injure the residential amenities of property in the vicinity or the visual amenities and character of the area,
- (d) would not set an undesirable precedent,
- (e) would not lead to any adverse impact in terms of sunlight/daylight to adjoining properties, due to the modest size of the proposed ground floor extensions,
- (f) would provide adequate sunlight and daylight to both dwellings, including to the proposed smaller dwelling, which would benefit from significant west facing fenestration at ground level (to the dining room and lounge extension), west facing fenestration to the main bedroom at first floor level and with a west facing aspect to the private open space,

- (g) would be acceptable by reference to, the provision of quality accommodation for residents of the two dwellings, quality allocated private open space for each of the dwellings, the availability of safe, usable vehicular access for each of the two dwellings, and
- (h) would constitute an appropriate form of additional housing delivery at this site consistent with the sustainable use of serviced, zoned land.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application, except as may be otherwise required by the following conditions.

Reason: To clarify the plans and particulars for which permission is granted.

2. The two permitted dwellings shall be retained and occupied as separate single residential units and shall not be subdivided, unless permitted by way of a separate planning application.

Reason: To clarify the use of the dwellings in the interest of residential amenity.

3. The proposed new boundary smart fence extending from the single storey extension to the eastern boundary shall be reduced from 2.4 metres to 2.2 metres.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements (including attenuation and disposal of surface water) shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. Development described in Class 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any either dwelling without a prior grant of planning permission.

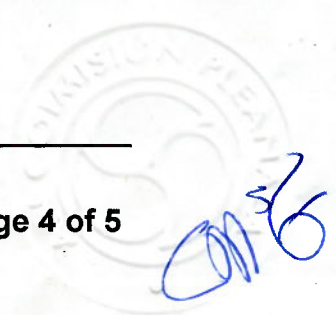
Reason: In the interest of residential amenity and to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings.

6. Proposals for a house numbering scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

7. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

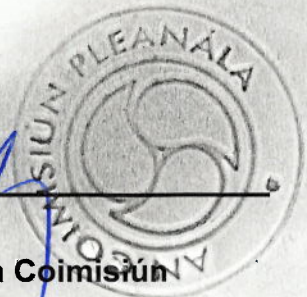


8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including, noise management measures, and offsite disposal of construction/demolition waste including any excess soil arising from the proposed excavation of the site.

Reason: In the interest of public safety and residential amenity.



Chris McGarry

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 16th day of July 2025.