



An  
Bord  
Pleanála

## Board Order ABP-320489-24

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 24/42951**

**Appeal** by Pasquale and Francesca De Vivo care of Waterman Kelly Consulting Engineers of 4 Union Quay, Cork against the decision made on the 17<sup>th</sup> day of July, 2024 by Cork City Council to grant subject to conditions a permission to Shane and Roisin Kiely care of Breeda O'Leary of Bridestown, Kildinan, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of existing single-storey rear extension. Construct a single and two-storey rear and side extension. High level window to northern elevation. Elevational changes. The existing front porch to be built in. Construction of a low-level front boundary wall with fence on top and vehicular entrance gate to match and all associated site development works, all at 11 Amberley Green, Grange, Douglas, 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 provisions of the Cork City Development Plan 2022-2028, the Zoning Objective ZO1 and the Placemaking and Development Management Standards set out in Chapter 11 of the development plan, and the Development Standards for Housing set out in the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (January 2024), it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the established development in the area, would not have a negative impact on the amenity of neighbouring residential properties or the visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed 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 prior to the commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The front boundary treatment shall consist of soft landscaping, such as low-level planting or hedging only, in accordance with details to be agreed with the planning authority prior to commencement of development. The proposed upper timber railing, vertical supporting posts and gates shall be omitted.

**Reason:** In the interest of visual amenity.

3. The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

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

4. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** In the interest of public health.

5. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

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

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or 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 amenities of property in the vicinity.

7. 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 prior to commencement of development 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.

  
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**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 6<sup>th</sup> day of December, 2024.