

An  
Bord  
Pleanála

## Board Order ABP-321403-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Cork County Council

**Planning Register Reference Number:** 24/5444

**Appeal** by Bill O'Regan and others care of Diarmuid Ó Gráda of 16 Louvain, Roebuck Road, Dublin against the decision made on the 12<sup>th</sup> day of November, 2024 by Cork County Council to grant subject to conditions a permission to Joe and Aine O'Sullivan care of Donal Anderson of Ballinreesig, Ballygarvan, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Material alteration of permitted conservatory and extension to the rear of dwellinghouse and for retention of agricultural-style garden shed for domestic use ancillary to the residential dwelling and all associated site works, all at Walshestown, Ovens, 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 location of the site within a rural area of County Cork, and designated as a High Value Landscape under the Cork County Development Plan 2022-2028, and the nature, scale, location and siting of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously affect the visual and landscape amenities of the area, would not impact on the protected scenic route number 37, as set out under the Cork County Development Plan 2022-2028, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 16<sup>th</sup> day of October, 2024, 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 in accordance with the agreed particulars.

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

2. The agricultural-style garden shed shall be used only for purposes incidental to the enjoyment of the dwellinghouse.

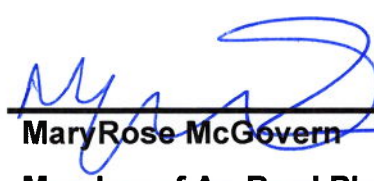
**Reason:** In the interest of residential amenity.


3. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

**Reason:** In the interest of traffic safety and to prevent flooding or pollution.

4. 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.

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



Dated this 28<sup>th</sup> day of March 2025.