

An  
Coimisiún  
Pleanála

Commission Order  
ACP-323180-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 2543867**

**Appeal** by Frances O'Leary of 8 Shanakiel Court, Strawberry Hill, Cork against the decision made on the 3<sup>rd</sup> day of July 2025 by Cork City Council to grant, subject to conditions, a permission to Martin Maloney care of Geraldine Coughlan Architects of Ard-Na-Greine, Enniskeane, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a proposed dwelling house, new entrance and all associated site works at Shanakiel Court, (rear of Rosemount), Strawberry Hill, Sundays Well, 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 nature and scale of the development, the location and context of the site, the policies, objectives, and standards of the Cork City Development Plan 2022-28, including Objective 8.22: National Inventory of Architectural Heritage (NIAH), the standards and guidance set out in the Design Manual for Urban Roads and Streets, it is considered that, subject to the below conditions, the proposed development would not seriously injure the residential or visual amenities of the area, would not create traffic hazard, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

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

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

2. The first floor east facing window opening serving bedroom number 3 shall be omitted. To compensate for the loss of this window, the size of the north facing window serving bedroom number 3 may be increased (to be no greater than the omitted window). Prior to the commencement of development, the developer shall submit revised drawings detailing these changes, for written agreement with the planning authority.

**Reason:** In the interest of residential amenity of future occupants, and in the interests of privacy of the neighbouring rear garden to the east.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

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

5. Prior to the commencement of development, the developer shall submit details for the attenuation and disposal of surface water from the site, for the written agreement of the planning authority.

**Reason:** In the interest of flooding prevention.

6. Prior to commencement, the developer is required to ensure sightlines demonstrated on Drawing JHK185-PA1-04 are achievable. The developer is required, prior to provision of this entrance, to remove vegetation to ensure sightlines are achieved. All costs associated with this condition to be borne by the developer.

**Reason:** To avoid traffic hazard and comply with Design Manual for Urban Roads & Streets (DMURS).

7. Within **six** months of completion of the construction of the house, the temporary construction route shall be removed, and the soft landscaping reinstated.

**Reason:** To protect the setting of Rosemount, a house of special architectural interest, and to comply with Objective 8.22: National Inventory of Architectural Heritage of the Cork City Development Plan 2022-28.

8. Any damage to the existing road, footpath and services resulting from this development shall be repaired by the developer at their own expense, to the satisfaction of the planning authority.

**Reason:** In the interest of orderly development.

9. The developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the developer proposes to build over or divert existing water or wastewater services, the developer shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

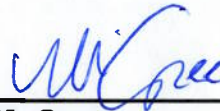
**Reason:** To provide adequate water and wastewater facilities.

10. Site development and building works shall be carried out between the hours of 0800 to 1900 from Mondays to Fridays inclusive, between 0900 and 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.

11. 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 Coimisiún 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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**Liam McGree**

**Planning Commissioner of An Coimisiún**

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



Dated this 27<sup>th</sup> day of APRIL 2026