

An  
Coimisiún  
Pleanála

**Commission Order**  
**ACP-323382-25**

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

**Planning Authority: Cork City Council**

**Planning Register Reference Number: T.P. 24/43316**

**Appeal** by Conor O'Sullivan of 9 Orchard Mews, Convent Avenue, Blackrock Cork and by Orchard Mews Residents Association care of Vincent O'Leary of 3 Orchard Mews, Blackrock, Cork against the decision made on the 18<sup>th</sup> day of July 2025, by Cork City Council to grant, subject to conditions, a permission to Anna Coakley care of Coakley O'Neill Town Planning of NSC Campus, Mahon, Cork, in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (1) Demolition of existing shed, (2) construction of two number two-storey semi-detached dwellings, (3) alteration of existing boundaries at Orchard Mews and land to the north to include: demolition of existing boundary to create parking, two number new car parking spaces and new pedestrian entrance and (4) new boundary treatments and all associated site development works at the rear of number 1 The Gardens, Rope Walk, fronting onto Orchard Mews, Convent Avenue, Blackrock, 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 proposed development, and the location and context of the subject site, and having regard to the policies, objectives, and standards of the Cork City Development Plan 2022-2028, national policy to provide compact settlements, and the standards and guidance set out in the Design Manual for Urban Roads and Streets, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not create a 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, as amended by the further plans and particulars received by the planning authority on the 23<sup>rd</sup> day of June 2025, 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. (a) Details of boundary treatments and landscaping shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The landscaping shall be carried out in accordance with the details agreed, and planting shall be completed within the first planting season following the substantial completion of external construction works.
- (b) Access to Convent Avenue via the existing right of way from the subject site, shall cease, and the gate currently providing access to the north from the subject site towards Convent Avenue, shall be permanently closed. A new fence shall be constructed along the northern boundary replacing the said gate, detailed drawings of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of clarity and to preserve the residential amenity of adjacent properties.

3. Development described in Classes 1 and 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouses without a prior grant of planning permission.

**Reason:** In the interests of residential and visual amenity.

4. The glazing to all bathroom and en-suite windows shall be manufactured obscured 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. 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.

6. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, which shall include the provision of adequate measures for the management of waste (including recyclable materials), the provision of screened bin stores which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot, and arrangements for the future maintenance of communal areas, within the site.

**Reason:** To provide for the appropriate management of waste, in the interest of protecting the environment and to provide for the satisfactory future maintenance of this development in the interest of residential amenity.

7. Prior to commencement of works, 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 development, the management of construction traffic, the location of the compound for storage of plant and machinery, the location for storage of deliveries to the site, noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety, traffic safety and amenity.

8. Site development and building works shall be carried out between the hours of 0700 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.

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

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



10. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the 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 flooding prevention.

11. Prior to the commencement of development, the applicant shall enter into Connection Agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network

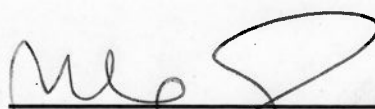
**Reason:** In the interest of public health and to ensure adequate water and wastewater facilities.

12. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance, of roads, footpaths, parking spaces, watermains, drains, and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

13. 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.



Mary Rose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 26<sup>th</sup> day of November 2025.