



An
Coimisiún
Pleanála

Commission Order
PL-500160-CK

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 254325

Appeal by Carol and Peter Butler against the decision made on the 29th day of September 2025, by Cork County Council to grant, subject to conditions, a permission to O'Brien and O'Flynn in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Construction of one number detached dwelling on service site number 177, (b) All associated site works, (as permitted under planning register reference number: 16/7217 and extended under planning register reference number: 22/4692) all at Harbour Heights, Rochestown Road, Ardmore, Passage West, County 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 zoning of the lands 'PW-R-02' for Medium A density residential development within the Cork County Development Plan 2022-2028, the planning history of the site, the pattern of development in the area and the siting, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area. 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 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 3rd day of September 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. 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.

3. The proposed development shall comply with the terms and conditions of planning permission register reference number 16/7217, and extended by 22/4692, which governs the overall development of the lands of which the site form's part, save where amended by the terms and conditions herein.

Reason: In the interest of clarity.

4. The tree planting shown on drawing number 24.P.02A-PL04 Rev C, as submitted to the planning authority on the 3rd day of September 2025, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

5.
 - (a) The side boundary wall (with number 178 to the south) of 1.8 metres in height shall extend only between the front building line and the rear boundary wall of the proposed dwelling.
 - (b) Prior to commencement of development, details of the proposed front boundary treatment shall be submitted to and agreed in writing by the planning authority.
 - (c) The rear garden boundary wall shall be capped and rendered on the external side.

Reason: In the interests of residential and visual amenity.

6. 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 the 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.

Eamonn James Kelly

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Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this *27th* day of *February*, 2026

