

An
Coimisiún
Pleanála

Commission Order
PL-500261-CK-25

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 25/4419

Appeal by Christine Macaulay and by Ciara Gallagher against the decision made on the 22nd day of October 2025, by Cork County Council to grant, subject to conditions, a permission to Michael and Rebecca Clark in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Redevelopment of existing two number dwelling houses namely, (a) demolition of existing two storey dwelling and garage and construction of new two storey dwelling, (b) alterations and extensions including partial demolition of existing dwelling, including extensions to side and rear at Ferry House, Castlepark, Kinsale, 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.

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Reasons and Considerations

Having regard to the existing dwellings on site, the pattern of development in the area, the siting, scale and design of the proposed development, and the objectives of the Cork County Development Plan 2022-2028, 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, would not be prejudicial to the environment or biodiversity and would be acceptable in terms of traffic safety and convenience. 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 26th day of September 2025 and by An Coimisiún Pleanála on the 20th day of April 2026, 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.

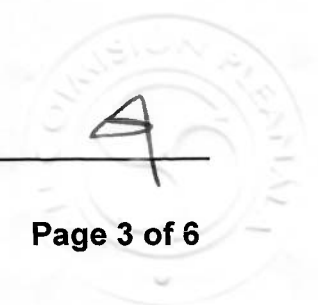
2. The proposed development shall be amended as follows:
 - (a) The clearstory rooflight feature shall be reduced in length to 7.5 metres, reduced in height by 500 millimetres, and overhang omitted.

- (b) The window opening at first floor level in the southern elevation of the proposed replacement dwelling shall be fitted with louvres, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (c) Doors and connections from Ferry House through courtyard to the proposed replacement dwelling shall be omitted. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity and to avoid overlooking of adjoining property

- 3. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction and Demolition Management Plan, which shall be adhered to during demolition and construction stages. This plan shall provide details of intended construction practice for the development, including, but not limited to, noise and dust management measures, access arrangements, car parking for site workers, pollution control, waste management, off-site disposal of construction/ demolition waste and measures to protect and support the existing northern and eastern boundary walls during construction.

Reason: In the interest of public safety, heritage and amenity.



4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

5. (a) All foul sewage and soiled water shall be discharged to the Castlepark (Kinsale) Waste Water Treatment Plant
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

6. Prior to the commencement of development, the developer shall submit details of the materials, colours and textures of all the external finishes to the proposed replacement dwelling and Ferry House.

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

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

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings.

8. Private amenity space and parking for each dwelling shall be provided in accordance with the Proposed Ground Floor Plan (drawing number PL_102 Rev 3.01), received by An Coimisiún Pleanála on the 20th day of April 2026.

Reason: To ensure adequate off-street parking provision is available to serve the proposed development.

9. The planting within the first floor terrace of the proposed replacement dwelling, shown on drawing number PL_104 Rev 3.01, received by the Commission on the 20th day of April 2026, 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 shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

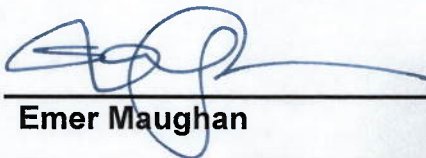
Reason: In the interest of residential and visual amenity.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development

Reason: In the interests of visual and residential amenity.

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 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 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.

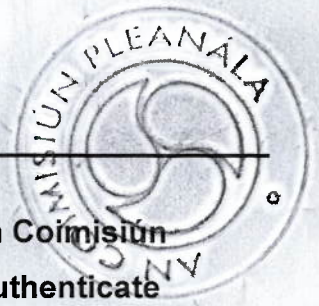


Emer Maughan

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 11th day of August 2026