

An
Coimisiún
Pleanála

**Commission Order
PL-500654-CK**

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 25/5597

Appeal by Christine Fitzgerald and Ger McNamara against the decision made on the 17th day of December, 2025 by Cork County Council to grant subject to conditions a permission to Karen Spratt and Harry Thompson in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new dwellinghouse at on a site at 17 Woodview, Churchtown, 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 provisions of the Cork County Development Plan 2022-2028, the location of the site within the village settlement of Churchtown and within an established housing estate, the history of the site, and the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location, would be acceptable in terms of surface water disposal, would not seriously injure the residential amenity of the adjacent properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 28th day of November, 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 proposed 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 development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3.
 - (a) Drainage arrangements, including the disposal of surface water, shall comply with the requirements in writing, where necessary, of the planning authority for such works and services.
 - (b) Any additional surface water created as a result of the proposed development shall be catered for within the site and shall not be allowed to flow onto the public road.
 - (c) Permeable paving shall be provided on site to all hard surface areas.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

7. Unless otherwise agreed in writing with the planning authority prior to commencement of development, all landscaping and boundary treatments shall be carried out in accordance with the Landscaping Plan received by the planning authority on the 28th day of November, 2025 using only indigenous deciduous trees and hedging species, except insofar as:

- (a) the front boundary wall shall be a maximum height of 1.2 metres (when measured from the public footpath), and
- (b) the fencing along the side boundaries (A to B and D to C) shall be no higher than 1.2 metres above the ground level in any location forward of the front/principal elevation of the proposed dwellinghouse.

Any plants, trees or hedging which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the proposed 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 order to screen the proposed development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

8. No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: To protect the amenities of the area and in the interest of road safety.

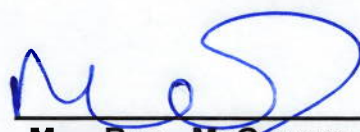
9. During construction works, the developer shall provide adequate off carriageway parking facilities for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road or footpath.

Reason: In the interest of traffic safety.

10. Any damage caused to the footpath or road during the course of construction works shall be repaired to the satisfaction of the planning authority at the developer's own expense.

Reason: In the interest of traffic safety and orderly development.

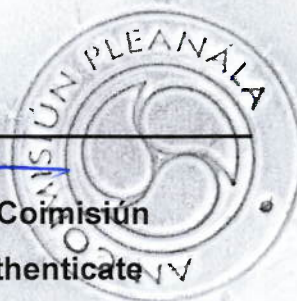
11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 5th day of May 2026.