



Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: 25/44089

APPEAL by Billy Cashman against the decision made on the 19th day of February 2026 by Cork City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing storage shed.

Construction of a new part two-storey, part single storey dwelling attached to the existing end-of-terrace dwelling. Alterations to existing boundary wall to develop one number vehicular entrance to the south-western boundary and one number new pedestrian entrance to the north-eastern boundary, and all ancillary and associated site development works, all at 12 Father Sexton Memorial Park, Ballincollig, Cork.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to ATTACH condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the design of the proposed development and its location at the end of a terrace, which provides an attractive grouping visible within the estate and from the main thoroughfare through Ballincollig, it is considered that the proposed design, which incorporates a flat roof and parapet wall, would be visually intrusive at this location and would not enhance the physical character of the area contrary to Section 11.139 of the Cork City Development Plan 2022-2028. The Commission decided, therefore, that condition number 2 was warranted and should be attached.

In deciding not to accept the Inspector's recommendation to omit condition number 2, the Commission noted and agreed with the Inspector's assessment that the existing terrace constitutes an attractive small group of some character in a relatively high-profile location. The Commission did not share the opinion of the Inspector that the proposed development would not be so visually injurious such that revisions were not warranted and concurred with the assessment of the planning authority in that regard; noting also that the applicant had not provided any detail as to why the floor space would be affected by a change in roof profile such as to render the layout unworkable. The Commission noted the Inspector's concerns in relation to re-designing the development by way of condition, but considered, in the particular circumstances of the case, that an amendment to the design by way of condition did not require a material alteration to the overall proposal.


Mary Gurrie

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**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 15 day of July 2026.