

Board Order 04.LV.3350

Planning and Development Acts 2000 to 2017

Planning Authority: Cork County Council

Planning Register Reference Number: 17/05262

Application for Leave to Appeal against the decision of the planning authority by Vincent O'Sullivan care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork, having an interest in land adjoining the land in respect of which Cork County Council decided on the 17th day of July, 2017 to grant subject to conditions a permission to Dominic Roche care of John Morrison of Kilclare Upper, Conna, County Cork.

Proposed Development: Retention and completion of first floor extension to rear of existing house and all ancillary works at 9 Thomas Street, Brigown, Mitchelstown, County Cork.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 6 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 6 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017

04.LV.3350 Board Order Page 2 of 2