



An
Bord
Pleanála

Board Order 04.RL.3587

Planning and Development Acts 2000 to 2017

Planning Authority: Cork County Council

Planning Register Reference Number: D/224/17

WHEREAS a question has arisen as to whether construction of an extension to the rear of dwelling at 103 Coopers Grange, Old Quarter, Ballincollig, County Cork is or is not development or is or is not exempted development:

AND WHEREAS Anne Etienne and Julien Nargeolet of 104 Coopers Grange, Old Quarter, Ballincollig, County Cork requested a declaration on the question from Cork County Council and the Council issued a declaration on the 4th day of May, 2017 stating that the matter is development and is not exempted development:

AND WHEREAS Michael and Maria Finn care of Barnes Murray de Bháill of The Old Forge, Innishannon, County Cork referred the declaration for review to An Bord Pleanála on the 25th day of May, 2017:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 5, 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended, and
- (c) Class 1 and Class 50 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and the Conditions and Limitations attached hereto:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the demolition of part of the house and the construction of the extension constitutes development,
- (b) the height of the wall of the subject extension exceeds the height of the rear wall of the house, being the gabled single storey family area projection, and
- (c) the extension would come within the description of development in Column 1 of Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, but does not comply with the Conditions and Limitations numbers (4)(b) and (4)(c) as set out in Column 2:

