



An
Bord
Pleanála

Inspector's Report ABP-321215-24

Development	Construction of extension.
Location	182 Curragh Woods, Frankfield, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2442877
Applicant(s)	Shane and Laura O'Leary.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Kieran Dwyer & Others.
Observer(s)	None.
Date of Site Inspection	16 th January 2025.
Inspector	Jennifer McQuaid

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	5
3.4. Third Party Observations	5
4.0 Planning History	6
5.0 Policy Context	6
5.1. Development Plan	6
5.2. National Policy	7
5.3. Natural Heritage Designations	8
5.4. EIA Screening	8
6.0 The Appeal	8
6.1. Grounds of Appeal	8
6.2. Applicant Response	9
6.3. Planning Authority Response	11
6.4. Observations	11
6.5. Further Responses	11
7.0 Assessment	12
8.0 AA Screening	20
9.0 Recommendation	20
10.0 Reasons and Considerations	20

11.0 Conditions	20
-----------------------	----

Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The subject site is located within an established housing estate known as Curragh Woods, in Frankfield, Co. Cork. The site comprises of a detached two storey dwelling with vehicular entrance and a large side garden. The dwelling is located at the end of a row of houses.

2.0 Proposed Development

- 2.1. The proposed development consists of:
- Two storey extension with side and rear single storey extensions
 - Relocation of the existing stairs to new extension
 - Alterations to existing dwelling
 - All ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to 11 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner made the following comments:

- The site is zoned as Sustainable Residential Neighbourhood, and the principle of an extension is acceptable.
- The design is generally in keeping with the character of the existing dwelling. The finishes proposed are acceptable.
- A section through the site with the adjacent properties is required to assess the impact on residential amenity and concerns raised regarding overlooking from the master bedroom, a redesign should be considered.

- No objection to the entrance/access/egress.
- Further details required for surface water disposal.
- Development contributions required.

3.2.2. Other Technical Reports

- Drainage: Further information required in relation to surface water disposal.
No objection raised following receipt of further information response.
- Area Engineer: No objection subject to conditions.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

A submission was received from a resident's group. The following concerns were raised:

- Incomplete information submitted. No reference to previous application 09/5429.
- No design statement submitted.
- Proposal does not consider the context and setting of the subject site.
- No topographical survey carried out.
- No details if planning permission was obtained for rear annex/extension.
- Existing entrance is 5.2m, the CDP restricts vehicular entrance to 3m.
- The proposal is overbearing and overlooking on the adjacent properties.
- Extension is not consistent with Urban Design Manual and does not consider the form, layout and pattern of development in the vicinity.
- Depreciate property values.
- Development conflicts with CDP.
- No reference to SUDs principles.

- Proposal is contrary to proper planning and orderly planning and sustainable development of the area.
- Poor separation distance between rear windows of property and properties to the northwest.

4.0 Planning History

ABP PL04.235184 (PA Ref: 095429): permission refused for a two-storey detached dwelling. Refusal reason outlined below:

Having regard to the restricted length and area of the rear garden of the proposed dwelling, the separation distance between the rear upper bedroom windows from equivalent windows on residential properties to the north-west, the differences in levels and the separation distance between the northern gable of the proposed dwelling and the garden and rear of dwellings to the north, it is considered that the proposed dwelling would have a substandard level of amenity and would seriously injure the residential amenities of nearby properties by reason of overlooking and overbearing influence. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Adjacent site:

105809: Permission granted for extension to rear and side of existing dwelling.

5.0 Policy Context

5.1. Development Plan

Cork City Development Plan 2022-2028

Chapter 12

The site is zoned ZO1: Sustainable Residential Neighbourhoods. The objective is to protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.

Section 11.140 relates to Adaption of Existing Homes.

Section 11.142: The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regard sunlight, daylight and privacy. The character and form of the existing building should be respected, and external finishes and window types should match the existing.

Section 11.143: Extensions should:

1. Follow the pattern of the existing building as much as possible.
2. Be constructed with similar finishes and similar windows to the existing building so that they would integrate with it.
3. Roof form should be compatible with the existing roof form and character. Traditional pitched roofs will generally be appropriate when visible from the public road. Given the high rainfall in Cork the traditional ridged roof is likely to cause fewer maintenance problems in the future than flat ones. High quality mono-pitched and flat-roof solutions will be considered appropriate providing they are of a high standard and employ appropriate detailing and materials.
4. Dormer extensions should not obscure the main features of the existing roof, i.e. should not break the ridge or eaves lines of the roof. Box dormers will not usually be permitted where visible from a public area.
5. Traditional style dormers should provide the design basis for new dormers.
6. Front dormers should normally be set back at least three-tile courses from the eaves line and should be clad in a material matching the existing roof.
7. Care should be taken to ensure that the extension does not overshadow windows, yards or gardens or have windows in flank walls which would reduce the privacy of adjoining properties.

5.2. National Policy

- Planning Framework – Project Ireland 2040
- Sustainable Residential Development and Compact Settlement Guidelines 2024.

5.3. Natural Heritage Designations

The subject site is not located within a designated site. The nearest protected sites are:

- Cork harbour SPA (site code: 004030) located c. 3km east of the subject site.
- Cork Lough pNHA (site code: 001081) located c.2.5km northwest of the subject site.
- Great Island Channel cSPA (site code: 001058) located c. 9km east of the subject site.

5.4. EIA Screening

- 5.4.1. The proposal relates to a proposed residential extension to an existing dwelling within the development boundary of Cork City. The site is located on zoned lands and not within a designated area. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations, 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Please refer to Form 1 as per Appendix 1 below.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been received from four residents adjacent to the proposed development. The following concerns are raised: (no. 181, 180, 179, 178)

- The planning authority did not have regard to the previous refusal by ABP under planning reference PL04.235184 to refuse permission.
- The design does not comply with design principles and good planning criteria set out DoEHLG Guidelines or the Cork City Development Plan 2022-2028.
- No design statement submitted.
- No communication with the adjacent properties.

- The objectors were not offered a chance to further comment on the response received by further information.
- Information submitted is incomplete, inadequate, misleading and insufficient. Question 18 in the Planning Application form was ticked “No” instead of “Yes” and reference to previous planning history.
- Topographical survey submitted at FI stage and new extension set at a higher level than the existing dwelling.
- No Shadow Projection Diagrams submitted.
- Photomontages are not representative of the area.
- Area to the rear to be retained implies retention sought for unauthorised development. Widened entrance is not exempted development. Widened to 5.2m, CDP required 3m width.
- The proposal due to height, mass, bulk, scale and siting will be overbearing and dominate the visual amenity of the adjacent properties.
- The proposal will be injurious to residential amenities of adjoining dwellings.
- Devalue properties.
- The extension is located 1599mm from the centre line of block built retaining wall, is the stability compromised? Does the proposal have regard to the Safety, health and welfare at Work Act and the Construction Regulations.
- The soakpit proposed cannot comply with condition 10, located a minimum of 5m away from buildings and 3m from property boundaries. The retaining wall should be considered as a building.
- No reference to SUDS principles.
- Request planning inspector to visit their homes.
- The proposal will be contrary to the proper and orderly planning and sustainable development of the area.

6.2. Applicant Response

The applicant has submitted a response with the following comments:

- Topography of the site slopes downwards. The ridge height of the existing dwelling is 109.227m, the proposed extension the ridge height will be 108.35m.
- Site sections submitted as part of the FI response.
- To prevent overlooking the master bedroom window was re-orientated to mitigate any potential overlooking. The rear bathroom window will be fitted with obscured glass. The ground floor windows are obscured by boundary treatment and will not overlook. The corner window at the first floor is orientated eastwards and minimises any potential overlooking.
- The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities recommended a minimum separation distance of 16 metres, the distance between the proposed first-floor window to the first-floor window at no. 178 is over 19 metres. No windows face onto properties no. 179 or no. 180 and the northern façade windows are positioned and angled away from no. 181. Therefore, there are no overlooking issues.
- The proposed design is supposed to align with the semi-detached aesthetic of the surrounding houses. The design will not stand out or detract from the visual amenity of the area.
- The proposal complies with ZO 1.2, ZO 1.4 and section 11.142 of the CDP. The design adheres to the Department of Environment, Heritage and Local Government (DoEHLG) Guidelines on Sustainable Residential Development.
- The previous planning history is 15 years old, and a number of documents have been updated. The proposal should not be compared directly to the 2009 application.
- The further information was not deemed significant and therefore the appellant could not comment on the FI received. But they were informed that the FI was submitted and could view the information submitted.
- Pre-application consultation is not statutory with the adjoining residents. The appellants were consulted as part of the planning process through the advertisement of the site notice and newspaper notice.

- The omission of the planning history on the application form was an accident and clerical error.
- All information required for planning permission was submitted and further information was submitted at the further information stage.
- The storage shed marked as “areas to be retained”, the storage shed is only 7m2 and is exempted development.
- The driveway entrance remains unchanged and confirmed in the drawings submitted. No alterations to the driveway are proposed. The driveway was widened when the dwelling was purchased in 2000/2001 and has been in place for over two decades. No objection raised by the Area Engineer.
- The hardstanding area incorporates SUDS principles within the stormwater management system. This includes the use of Tobermore Permeable Paving (or similar) for paved areas. A 3m³ soakaway has been designed and located on the existing front lawn. The soakaway complies with BRE Digest 365 guidelines, respecting the required minimum separation distances of 5 metres from buildings and 3 metres from the property boundaries.
- The boundary walls were not identified as a concern in the Council’s reports nor were any specific objections or conditions imposed related to them. No impact on their stability.

6.3. Planning Authority Response

- None

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Planning History
- Residential Amenity
- Design & Visual Impact
- Surface Water Drainage
- Other Issues.
- Appropriate Assessment

7.2. Planning History

- 7.3. Planning permission was previously refused under planning reference ABP PL04.235184 (PA Ref: 095429) for a two-storey detached dwelling adjacent to the subject dwelling of the current application. The refusal reason related to restricted length and area of the rear garden of the proposed dwelling, the separation distance between the rear upper bedroom windows from equivalent windows on residential properties to the north-west, the differences in levels and the separation distance between the northern gable of the proposed dwelling and the garden and rear of dwellings to the north. ABP considered that the proposed dwelling would have a substandard level of amenity and would seriously injure the residential amenities of nearby properties by reason of overlooking and overbearing influence.
- 7.4. The grounds of appeal state the planning authority did not have regard to the previous refusal by ABP under planning reference PL04.235184. And outline the subject application should have been assessed under the same criteria. The applicant failed to disclose the previous planning history on the application form.
- 7.5. The applicant has responded to this concern and highlights, the previous planning history is 15 years old, and a number of planning policy documents have been updated since the previous application. The proposal should not be compared directly to the 2009 application due to the time difference, and the previous

development was for a detached dwelling not an extension. The applicant has also admitted a clerical error in omitting to disclose the previous application on site.

- 7.6. I have reviewed the Planning Report, the planner has referenced the previous planning application ABP PL04.235184 (PA Ref: 095429) in the planning history section 3. Reference is also made to an adjacent planning application in the vicinity of the subject site.
- 7.7. The proposed development relates to an extension to the existing dwelling and the previous planning history related to the development of a detached dwelling in the garden of the existing dwelling. This application was submitted in May 2009 and a final decision was issued by ABP on 2nd March 2010. A considerable time difference has passed since the initial planning application compared to the current application and as highlighted by the applicant, a number of planning policy documents have been updated including the Cork City Development Plan 2022-2028 and the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities. Therefore, I consider that the Planning Authority has sufficiently noted the planning history on site. I do not consider; the Inspector Report of the previous planning application should have been considered in combination with the current application as the developments are different and there is a considerable time difference in both planning application along with policy updates.
- 7.8. Having regard to the previous planning history on site, the current proposed development, the current planning policy documents in place and the considerable time difference between both applications, I consider the Planning Authority have adequately considered the previous planning history on site. I do not consider; the previous planning history should affect the planning decision of this current planning application.
- 7.9. **Residential Amenity**
- 7.10. The subject site consists of a detached dwelling within Curragh Woods housing estate. The dwelling is the first/end in a row of 11 dwellings consisting of detached and semi-detached. There is a row of dwellings directly to the rear consisting of 14 semi-detached dwellings. House 180 & 181 is located to the north of the side elevation of the subject dwelling at a distance of approximately 22metres. Houses 178 & 179 are located to the northwest of the subject dwelling at distance of

approximately 20 metres. The site is elevated and slopes downwards towards house 180 & 181.

- 7.11. The grounds of appeal have outlined the proposed development will be overbearing and overshadow their dwellings due to the height, mass, bulk, scale and siting. The applicant failed to submit shadow projection diagrams. It is stated the proposal will be injurious to residential amenities of adjoining dwellings.
- 7.12. The applicant has responded and outlined as part of the further information request, site sections were submitted, and the master bedroom window was re-orientated to mitigate any potential overlooking. The rear bathroom windows will be fitted with obscured glazing. The ground floor windows are obscured by boundary treatment and will not overlook. The corner window at the first floor is orientated eastwards and minimises any potential overlooking.
- 7.13. The applicant also highlighted, The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities recommend a minimum separation distance of 16 metres, the distance between the proposed first-floor window to the first-floor window at no. 178 is over 19 metres. No windows face onto properties no. 179 or no. 180 and the northern façade windows are positioned and angled away from no. 181.
- 7.14. I have assessed the proposed location of the new extension in relation to the adjacent residential properties in close proximity. House 180 is the closest dwelling located at 11.5 metres separation from the ground floor extension, the separation increases at first floor level to 15.4 metres. I note no windows are proposed on the northern elevation of the proposed extension; therefore, I do not consider overlooking to be an issue.
- 7.15. In relation to house 179, a separation distance in excess of 14 metres will exist, however, due to the angle of house 179, the corner of the proposed extension will directly face houses 177 & 178, no windows are proposed on the corner, therefore, I do not consider overlooking will be an issue.
- 7.16. In relation to house 178, a separation distance in excess of 19 metres will exist between the dwelling and the proposed first floor extension, a window is proposed on the rear/western elevation, but this window will serve an ensuite bathroom and the applicant proposed to provide obscure glazing on this window, therefore I do not

consider overlooking will be an issue. The separation distance increases above 20metres to house 177 due to the angle.

- 7.17. In regard to house 181, a separation in excess of 15 metres will exist, similar to house 180, no windows are proposed on the northern elevation, therefore, I do not consider any overlooking issues will arise.
- 7.18. The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities recommended a separation distance of 16 metres between opposing windows serving habitable rooms at the rear or side of houses above ground floor level shall be maintained. The guidelines also outline that separation distance below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces. Therefore, the separation between the proposed development and houses 177 & 178 is acceptable and in accordance with the Compact Settlement Guidelines. In regard to houses 179, 180 & 181, there are no opposing first floor windows, therefore, there will be no undue overlooking of habitable rooms or private amenity space.
- 7.19. Due to the topography of the site and surrounding area, the proposed extension is located at a lower ground level compared to the existing dwelling, the finished floor level will be 100.795m (above ground level) compared to the existing floor level at 101.395m (above ground level), therefore the overall height of the extension will be located at 108.35m, this is almost a metre lower than the existing dwelling. I consider the overall height is acceptable and is considered subordinate to the main dwelling. And it will not cause any additional overbearing to the existing dwellings due to the separation distance and the overall height proposed.
- 7.20. In regard to overshadowing, the proposed dwelling extension is located to the south of houses 180 and 181, as the sun is passing from the south, there will be a slight overshadowing to the rear garden of house 180 and 181 when the sun is low in the sky. It is my opinion that the overshadowing to the rear garden will be minimal and will not affect the residential amenity of house 180 & 181.
- 7.21. In relation to house 178 & 179, a slight overshadowing impact will occur when the sun is rising from the east, however, due to the angle and separation, I do not

consider the overall overshadowing will significantly impact the residential amenity of house 178 & 179.

7.22. Having regard to the location of the existing dwelling, the separation distance and the siting of the dwellings, I do not consider that the proposed extension will create an overshadowing, overlooking and overbearing impact on the residential amenity of the adjacent dwellings. The proposed extension complies with the Compact Settlement Guidelines.

7.23. Design & Visual Amenity.

7.24. The subject site is an existing dwelling in a housing estate and the finishes include red brick to the ground floor level and cream plaster to the first floor, all dwellings in the row are finished similarly with pebble dash to sides and rear. The proposed extension will be finished in red brick to ground floor level and white render to first floor, sides and rear. The photomontages submitted, indicate the existing cream render will be changed to white render.

7.25. The grounds of appeal state the design does not comply with design principles and good planning criteria set out DoEHLG Guidelines or the Cork City Development Plan 2022-2028. And that no design statement was submitted nor are the photomontages submitted representative of the area.

7.26. The applicant has stated the proposed design is aligned with the semi-detached aesthetic of the surrounding houses. The design will not stand out or detract from the visual amenity of the area. The proposal complies with ZO 1.2, ZO 1.4 and section 11.142 of the CDP. The design adheres to the Department of Environment, Heritage and Local Government (DoEHLG) Guidelines on Sustainable Residential Development.

7.27. I have assessed the proposed design of the extension in comparison to the existing dwelling and in comparison, to the adjacent dwellings. The finishes proposed are similar to the existing dwelling and surrounding dwellings. The change from cream to white plaster will modernise the appearance of the dwelling and I consider this is acceptable and therefore, there will be no negative visual impact. The proposed extension is also set back from the main front building line of the dwelling, this helps to integrate the extension into the main dwelling. The extension will consist of a floor area of 99.5m², thereby almost doubling the existing dwelling (102.15m²). However,

I consider given the layout of the extension with varying setbacks and ground floor extensions, the proposed extension will not overbear the existing dwelling.

7.28. I have assessed the proposed design with in relation to chapter 12, zoning ZO1.2 of the CDP which requires the development to generally respect the character and scale of the neighbourhood and Section 11.142 of the CDP which relates to Adaption of Existing Homes requiring the character and form of the existing building should be respected, and external finishes and window types should match the existing. I consider the proposed extension does take into account the criteria as set out in the CDP. In addition, the proposed extension complies with Section 11.143 criteria.

7.29. Therefore, having regard to the objectives and criteria as set out in the CDP and the character of the surrounding area, as well as the proposed finishes of the extension, I consider the proposed design is acceptable and in character with the surrounding neighbourhood.

7.30. Surface Water Drainage

7.31. The subject site is located within a housing estate and the applicant is proposing to install an on-site soakaway system.

7.32. The grounds of appeal state the proposed soakpit cannot comply with condition 10 of the planning permission. The soakpit is located within a minimum of 5m from the retaining wall and this should be considered as a building. There is no reference to SUDS principles in the application.

7.33. The applicant has stated the hardstanding area incorporates SUDS principles within the stormwater management system. This includes the use of Tobermore Permeable Paving (or similar) for paved areas. A 3 cubic meter soakaway has been designed and located on the existing front lawn. The soakaway complies with BRE Digest 365 guidelines, respecting the required minimum separation distances of 5 metres from buildings and 3 metres from the property boundaries.

7.34. I have assessed the further information submitted with the planning application, a report was submitted from the applicant, they have outlined that the stormwater runoff from the proposed hardstanding areas will flow into a 3m³ soakaway located in the existing front lawn. The proposed paving areas will be made up of Tobermore Permeable Paving or similar and will function as a Sustainable Urban Drainage

paving system. The Drainage section of the Planning Authority requested further information in relation to drainage and were satisfied with the applicant's response. Therefore, I am satisfied that the stormwater runoff and surface water will be adequately disposed of.

7.35. I also note the soakaway system will be designed in accordance with BRE Digest 365, the soakaway will be located a minimum of 5m away from buildings and 3m from property boundaries. I have reviewed the proposed foul and storm site layout, and I am satisfied the proposed soakaway can comply with the BRE 365 separation distances quoted. The retaining wall to the north, is a boundary wall and I consider the 3-metre separation distance is adequate.

7.36. Having regard to the location of the proposed soakaway and compliance with the BRE 365 Digest, the separation distances proposed, I consider the proposed soakaway location is acceptable and in compliance with BRE 365.

7.37. **Other Issues**

7.38. Consultation

7.39. The appellants have raised concerns in relation to lack of public consultation from the applicant with the adjacent properties. And that objectors were not offered a chance to further comment on the further information response received by the Planning Authority.

7.40. The applicant has no statutory obligation to carry out consultation with adjacent properties, the applicant submitted a planning application, which is a statutory avenue for the public to make submissions. I am satisfied the applicant carried out the appropriate consultation process.

7.41. In relation to the further information submitted to the Planning Authority, the Planning Authority had reviewed the further information submitted and recommended that the information submitted was "not significant" therefore, the applicant was not required to readvertise the planning application. I am satisfied the Planning Authority carried out the correct procedure. I am satisfied that the above issues did not prevent the concerned parties from making representations.

7.42. Storage Shed

- 7.43. The appellants also raised concerns about the area to the rear/side to be retained which implies retention sought for unauthorised development. The applicant has stated the storage shed marked as “areas to be retained”, relates to a storage shed of 7m² and is exempted development.
- 7.44. I am satisfied that the storage shed located along the southern elevation of the subject dwelling is exempted development as per Planning and Development Regulations 2001-2024.
- 7.45. Entrance
- 7.46. The appellants raised concerns about the existing widened entrance and have stated this is not exempted development. The entrance has a width of 5.2m, and the CDP requires a 3m width.
- 7.47. The applicant has stated the driveway entrance remains unchanged and confirmed in the drawings submitted. No alterations to the driveway are proposed. The driveway was widened when the dwelling was purchased in 2000/2001 and has been in place for over two decades.
- 7.48. I note section 11.145 of the CDP which refers to vehicular entrance not wider than 3 metres, or where context and pattern of development in the area allows not wider than 50% of the width of the front boundary. In this instance, the entrance is not more than 50% of the width of the front boundary. Having regard to the location of the entrance and the number of years it has been installed, I consider the entrance as it is, is acceptable and does not contravene the CDP.
- 7.49. Retaining Wall
- 7.50. The appellants have outlined the proposed extension is located 1599mm from the centre line of block built retaining wall and question the stability.
- 7.51. The applicant has stated the boundary walls were not identified as a concern in the Planning Authorities’ reports nor were any specific objections or conditions imposed related to them. No impact on their stability predicted.
- 7.52. I consider given the separation distance, the location of the proposed extension is acceptable, and it will be the responsibility of contractor/builder to ensure the development complies with Building Regulations.

8.0 AA Screening

- 8.1. Having regard to the proposed development of an extension to an existing dwelling with existing connection to public sewer and public water and discharge of surface water to on-site soakaway and within the development boundary for Cork City. The nearest European site is Cork Harbour SPA (site code: 004030) located c. 3km east of the subject site. It is considered that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on a European site.

9.0 Recommendation

- 9.1. I recommend that planning permission should be granted, subject to conditions, for the reasons and considerations as set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the grounds of appeal, the existing residential use on site, the separation distance to adjacent properties and the provision of the Cork City Development Plan 2022-2028, it is considered that the proposed development, subject to compliance with the conditions set out below, would comply with section 11.142 and section 11.143 of the Cork City Development Plan 2022-2028. The proposal is consistent with the proper planning and sustainable development for the area.

11.0 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 23rd day of April, 2024 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 extension and the existing dwelling combined shall be confined solely to residential use as a single private dwelling unit.

In the interest of clarity and visual amenity.

3. All external windows to bathrooms, ensuites and W.C rooms shall be made obscure or opaque.

In the interest of residential amenity.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

7. 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 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Jennifer McQuaid
Planning Inspector

4th February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321215-24		
Proposed Development Summary	Construction of an extension to an existing dwelling.		
Development Address	182 Curragh Woods, Frankfield, Cork.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	X		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____