



An
Coimisiún
Pleanála

Inspector's Report PL-501245-CC-26

Development	Construction of 2 storey extension and single storey rear extension and porch and all associated site works.
Location	3, Deanwood Place, Togher, Cork, T12H7T8
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2644513
Applicant(s)	Richard and Aoife Creedon
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Stephen Galvin
Observer(s)	None
Date of Site Inspection	17 th July 2026
Inspector	Michele Beirne

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1.0 Site Location and Description

- 1.1. The site is located at 3 Deanwood Place, Togher Cork City. The site accommodates a two-storey semi-detached dwelling with a single storey rear extension and a single storey garage. The dwelling is set back from the public road and there is off-street parking to the front of the dwelling. The dwelling has a front and rear garden. No. 1 Deanwood Place, the adjoining semi-detached dwelling, is to the north of the property and No. 5 Deanwood Place is to the south. No. 32 Market Garden is to the rear of the property. The site has a stated area of 0.026 hectares.
- 1.2. The site fronts onto a green and is on a cul de sac road in a mature residential area. External finishes are predominately dashed render finish and there are a mix of extension in the area. The site is well served by local services and amenities, it is approximately 1km northeast of local schools on the Togher Road.

2.0 Proposed Development

- 2.1 The proposed development is described as follows:

- Demolition of rear extension and garage,
- Two storey side extension,
- Single storey rear extension,
- Front porch,
- Side window on south elevation of existing dwelling,
- Increase to the rear northern and southern boundary walls,
- Associated site works.

3.0 Planning Authority Decision

- 3.1.1. Cork City Council (CCC) issued notification of a decision to grant permission on the 1st April 2026 subject to 13 conditions. Conditions 3, 4, 5, 10, 11 and 12 are of note:

- Condition 3: The proposed first floor west elevation window and ground floor side south elevation windows shall be fitted with obscure glazing.
- Condition 4: The dwelling shall be used as a single dwelling unit.
- Condition 5: Prior to the commencement of development, the full details (including a drawing and material specifications) of the finish to the remaining garage elevation following demolition works shall be submitted to and agreed in writing with the Planning Authority.
- Condition 10: Construction waste shall be segregated and submitted for recycling. Asbestos arising from demolition shall be disposed of in accordance with procedures of the HSA Guidelines on Working with Materials Containing Asbestos Cement.
- Condition 11: Noise level and working hours during site clearance and construction are restricted.
- Condition 12: Ensure no appreciable negative environmental impacts during construction and that waste is removed by authorised waste contractors.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The Senior Executive Planner's report can be summarised as follows:

- Alteration to wording of Conditions 3 and 5.
- It is noted works to increase boundary walls height could be carried out under exempted development regulations within the applicant's site, in the absence of legal agreement to alter same.

3.2.3. The Planners report can be summarised as follows:

- The site is zoned objective ZO1 Sustainable Residential Neighbourhoods and an extension is permitted in principle.
- The design of the two storey side extension is acceptable and mirrors the design and form of the existing dwelling.

- A condition should be included to ensure the garage elevation remaining following demolition works is suitably finished.
- The proposed front porch is acceptable.
- Proposed external finishes will blend with the existing dwelling.
- Amenity space complies with minimum private open space requirements.
- It is not considered the proposal will negatively impact amenities of the adjoining property given it provides for a setback from the intervening boundary.
- The orientation of the site means the ground floor side window of No. 5 would not be negatively impacted to any significant degree.
- The single storey rear extension will not negatively impact the adjoining property through visual overbearance or overlooking/loss of privacy.
- Given the low height of the intervening side boundary wall, proposed windows on the side elevation should be fitted with obscure glazing.
- The proposal to raise existing rear walls to 2m would be subject to legal consent with adjoining neighbours and is acceptable in principle.
- Exemptions under the planning regulations as amended including for boundary walls, porches, rear extensions and rooflights are noted.
- Point 2 (the proposed development will involve demolition and construction works to the client's home) and point 6 (the proposed development will result in diminution in the value of property) are outside the scope of planning and sustainable development and not considered.
- The information submitted was considered sufficient for assessment and met the Councils validations requirements.
- There would be no significant impact on the amenities of neighbouring properties.
- The applicant's response to the objection is noted.
- Recommendations to grant by drainage, environment and the contribution requirement are noted.

3.2.4. Other Technical Reports

- Drainage: Grant subject to conditions relating to separation of drainage, storm runoff and to avoid negative impact on existing drains and sewers.
- Environment: Grant.
- Contributions: Grant with a contribution condition.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

- 3.4.1. One third party submission was made to the Planning Authority. Observations raised largely reflect the grounds of appeal set out in Section 7.

4.0 Planning History

4.1.1. Site

- No recent planning history.

4.1.2. Relevant history in proximity to site

- PA. Ref. 1335523: Permission granted in 2013 at 39 Deanwood Avenue for demolition of rear extension and side garage and construction of a single storey rear/side extension.
- PA. Ref. 0933929: Permission granted in 2009 at 41 Deanwood Avenue for a 2nd storey extension.
- PA. Ref. 0630445: Permission granted in 2006 at 42 Deanwood Avenue for a two-storey extension and garage.
- PA. Ref. 0226290: Retention permission granted in 2002 at 9 Deanwood Place for kitchen, sunroom, attic storage, change of use of garage to utility room.

5.0 Policy Context

5.1. Development Plan

Cork City Development Plan 2022-2028:

Zoning:

- 5.1.1 The area is zoned 'ZO1 Sustainable Residential Neighbourhoods', the zoning objective is to 'protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses'. The proposed development is permitted in principle in this zone.

Summary of key policy :

- 5.1.2 Chapter 3 Delivering Homes and Communities :

Objective 3.9 Adaptation of Existing Homes, Infill Development and Conversion of Upper Floors: Support and encourage the adaptation of existing homes (consistent with NPO 35 of the NPF), infill development and the conversion of upper floors in commercial areas in principle to ensure that homes, small sites and vacant space are utilised for new housing supply whilst still ensuring high standards of residential amenity for existing adjoining homes.

- 5.1.3 Chapter 11 Placemaking and Managing Development in particular:

- Small Residential Developments and Alterations to Existing Dwellings
 - Sections 11.140 to 11.143 Adaption of Existing Homes

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- 5.2.1. The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024:

The 2024 Guidelines set out guidance on sustainable residential development, compact settlements and development standards for housing. It provides guidance on quality design and placemaking and Specific Planning Policy Requirements (SPPRs) on separation distances, provision of open space, car parking and cycle parking.

5.3. Natural Heritage Designations

- 5.3.1. The closest European sites are Cork Harbour SPA (004030) located 3.7km east of the site and Great Island Channel SAC located 10km east of the site (001058). Cork Lough pNHA (001081) is located 0.8km north of the site and Douglas River Estuary pNHA is located 3.7km east of the site.

6.0 EIA Screening

- 6.1. 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. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

A third party appeal was lodged on behalf of the owner of No. 5 Deanwood Place. The appeal is summarised as follows:

- The appellant provided context on the original design of the dwellings and invited a site visit to their property. The semi-detached garages were positioned to avoid compromising benefits of side windows. The garages were built with a front facing parapet wall which conceals a mono pitched asbestos roof. The garages are separated by an internal wall. The internal wall is single blockwork, constructed in 100mm standard blockwork and is unfinished. The garages extend from the roadside to the contiguous boundary wall.
- The design statement to support the application does not involve any increase in the number of bedrooms. An alternative solution is suggested where accommodation gain may be achieved by a single storey extension.
- The planning authority have not managed or pursued the application in a compliant manner. No formal acknowledgement on the submission was received on the day of submission and was followed up by the consultant. No formal notification of the decision by the planning authority had been forwarded to the applicant or their consultant when writing the appeal. The process is non-compliant and invalid.
- The planning authority has not assessed the application correctly and the decision reached is flawed. There is a lack of understanding and regard to site specific issues in the assessment. There are no site photos referenced in the

report, no comment on the existence or validity of the site notice. The report incorrectly describes the garage as flat roof and does not critique blockwork. There is no commentary on matters relating to asbestos in the planners/SEP /environment section reports. Boundary wall and exempt development regulations observations do not have regard to matters on site.

- The information provided in the application is inaccurate and inadequate to allow assessment of the development. The drawings do not demonstrate the demolition works and it is observed that notes on the proposed elevation drawings state 'do not scale'. The drawings show a notional party boundary wall width of 200mm wide, it is correctly 100mm. No detail of the new parapet wall and flashing are provided. The drawings do not reference the shared asbestos roof. The drawings do not accurately demonstrate the site conditions, the increase in elevational treatment of the proposed extension and increase in height of the existing shared boundary wall.
- The wording of Condition 5 is inadequate, the matter has not been assessed or conditioned in a reasonable, practicable and implementable manner.
- The proposal will involve demolition and construction works to the appellants property. The appellant notes the planners report acknowledged legal consent for boundary walls would be required and provisions under Section 34 (13) of the Act. The appellant does not provide permission for works.
- The proposed extension will have a visual impact, overbearing and overshadowing impacts and dominate the property.
- The scale and massing do not reflect the established pattern of development.
- The proposed development will be injurious to the residential use and enjoyment of the appellant's home.
- The appellant highlights provisions in Chapter 11 under Strategic Objective 9, Sections 11.5, 11.15, 11.100-11.105, 11.142 and the zoning objective.
- The design statement does not set out how the proposal meets development plan objectives and how placemaking and urban design criteria in the 2009 Urban Design Manual have been considered.

- The proposed development conflicts with the Development Plan and DoEHLG 2009 Manual that encourages an analysis of site edges and design solutions to respond to boundary conditions and the receiving environment.
- The proposed development will decrease the value of property.
- The proposal will be contrary to proper and orderly planning and sustainable development.
- The appellant has submitted a copy of a letter from their solicitor, April 2026 on carrying out the proposed works.
- It is requested permission is refused based on the points made above.

7.2. **Applicant Response in the case of a 3rd Party Appeal**

The applicant's response to the appeal is as follows:

- The proposed development represents a reasonable and policy compliant extension and retrofit of a dwelling in an established residential area.
- The proposal reflects the continued evolution and adaption of homes. It is consistent with the objectives of the Development Plan relating to sustainable development, compact growth, retrofit and the continued adaption of existing housing stock.
- The proposal would not result in an unacceptable impact on the residential amenity of No 5 Deanwood Place.
- The applicants state all correspondence with the owner of No. 5 was conducted through representatives on the owner's behalf. Reasonable enquires were made to identify the appropriate contact prior to submitting the application. Any suggestion any party was knowingly misidentified is respectfully rejected. The applicants note No. 5 is referred to as the appellants home, the appellant does not reside at the property, it is rented to tenants.
- The applicant's consultant confirms they received notification of the decision to grant permission, the contrary account is respectfully disputed.
- The site notice remained in place for the required 5 week period. The Councils planning portal show site notice photos. The planner visited the site.

- The appeal states the 2009 Urban Design Manual encourages an analysis of site edges and responding to the receiving environment. The applicant notes the estate has evolved over time, creating a varied residential character rather than a rigidly uniform streetscape. Examples in Deanwood Avenue and Deanwood Place show arrangements vary from property to property.
- The proposal is consistent with the established pattern of development in the area, the applicant notes an example of a similar scale extension PA. Ref. 24/42851 and that this pattern of development is evident within 2km.
- The proposal has been carefully designed in scale positioning and setbacks to avoid overbearing and overshadowing impact and maintain residential amenity in this urban context.
- No. 3 Deanwood Place is on the northern side of No 5 and shadowing will not be an issue.
- It is acknowledged the existing garage structure forms part of the party boundary wall between the properties and there are 4 asbestos sheets spanning the boundary line, ownership is equally shared.
- The plans and description show the only structure along the boundary proposed to be raised to 2m is the existing rear boundary wall between the rear gardens.
- The concerns raised by the appellant are acknowledged.
- Matters raised are subject to separate statutory controls and are not determinative planning considerations in the assessment of the proposal.
- Asbestos related works will be carried out in accordance with environmental, waste management, health and safety and hazardous material legislation. The Council considered matters and attached conditions.
- Concerns about potential resale value do not constitute material planning consideration. Notwithstanding, correspondence is provided from OM2 Auctioneers, May 2026 stating in their opinion the proposal would not have an adverse effect on the resale value of any nearby properties.

- The applicant has provided a copy of a solicitor letter, May 2026 to the appellant, their solicitor and agent inviting them to meet and discuss issues.
- The planning authority determined development would not seriously injure the amenities of property or conflict with proper planning and sustainable development of the area.
- It is requested the Commission uphold the decision to grant permission.

7.3. Planning Authority Response

- 7.3.1. The planning authority submitted a photomontage taken during the site inspection carried out by Cork City Council and requested the photomontage be added to the appeal documents.

7.4. Observations

- 7.4.1. None.

7.5. Further Responses

- 7.5.1. None.

8.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, having inspected the site and having regard to the relevant local/regional/national policies and guidance, I consider that the principle of the proposed development is in accordance with Objective 3.9 Adaptation of Existing Homes, Infill Development and Conversion of Upper Floors and the 'ZO1 Sustainable Residential Neighbourhoods' zoning objective for the area in the Development Plan. I consider that the substantive issues in this appeal are as follows:

- Garage and boundary wall,
- Design, residential amenity and visual impact,

- Environmental matters,
- Other matters.

8.1. Garage and boundary wall

- 8.1.1. The site accommodates a two-storey semi-detached dwelling with an existing single storey rear extension and a single storey garage. The proposed development involves demolition of the rear extension and garage, the construction of a two storey side extension, a single storey rear extension, porch, new window on south elevation and an increase to the rear northern and southern boundary walls. The garage, located to the rear of the dwelling, has a front facing parapet wall which conceals a shared mono pitched asbestos roof.
- 8.1.2. The appellant, the owner of the adjoining property No. 5 Deanwood Place to the south of the site, is concerned the assessment did not adequately consider the garage structure and that the information provided in the application is inaccurate and inadequate to allow assessment of the development. They state drawings do not demonstrate the demolition works and it is observed that notes on the proposed elevations drawing state 'do not scale'. The drawings show a notional party boundary wall width of 200mm wide, it is correctly 100mm. No detail of the new parapet wall and flashing are provided. The drawings do not reference the shared asbestos roof. The drawings do not accurately demonstrate the site conditions, the increase in elevational treatment of the proposed extension and increase in height of the existing shared boundary wall. They also state the proposal involves construction and demolition works on their property and do not provide permission for works.
- 8.1.3. As part of my site inspection, I examined the exterior of the properties and the interior of No. 3's garage. I observed that the existing garage structure forms part of the party boundary wall between the properties and the garages share a roof. I note the applicant in their response acknowledges the existing garage structure forms part of the party boundary wall between the properties and there are 4 asbestos sheets spanning the boundary line. They state the only structure along the boundary to be raised to 2m is the existing rear boundary wall between the gardens.

- 8.1.4. I have reviewed the drawings and note they indicate an increase of 2m to the rear side boundary wall between the gardens and state 'existing neighbours garage external wall (northern side) to have a dashed finish to match existing. New parapet wall and flashing detail are to be constructed along western elevation'. I consider that the discrepancy in dimensions to be minor in nature and have no material bearing. I note the drawings include the following notes: 'Do not scale. All dimensions in mm. Drawing to be read in conjunction with all other contract drawings and documents. In the event of apparent discrepancies please consult with the design office'. I have reviewed dimensions on the drawings and I am satisfied they reflect those shown. I note the planners report stated the information submitted was considered sufficient for the assessment and met the Councils validations requirements. I am satisfied that sufficient information has been provided in the drawings and description to facilitate a balanced and reasoned assessment and that no alteration to the height of the garage wall is proposed. I note that the appellant had concerns about a condition relating to the garage wall and this is addressed below.
- 8.1.5. With regard the rear side boundary, I observed that the rear side boundary walls between No. 3 and the adjoining properties are lower than the rear boundary wall. I also note that exempt development regulations allow, subject to conditions, a 2m wall or fence within a property owners site. Considering the boundary height allowed under exempt development regulations, I consider an increase in the boundary wall to 2m to be acceptable in principle. It is also my opinion that an increase in the height of the existing wall would align better with the higher rear boundary wall and result in a more visually cohesive appearance. I therefore consider it to be acceptable.
- 8.1.6. In relation to the garage and boundary wall, I note that any encroachment on property is a civil matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act. I note that the planning authority came to a similar conclusion.

8.2. Design, residential amenity and visual impact

8.2.1. The existing house has a floor area is c134 sqm. The area to be demolished is c38.7sqm and the proposed extension is c40sqm. The proposed front porch is a flat roof extension, has glazing to the front and side elevation and is c3m in height. I note that the existing house has an internal double glazed door porch. The proposed side extension has a hipped roof profile similar to the existing dwelling. It is stepped back c2.2m from the front building line and is less than the overall height of the existing dwelling (8m). The proposed second storey element is for a bathroom and ensuite, is c5.6m in length of the total length of the extension at c13.7m. The proposed rear extension is a single storey flat roof extension and is c.3m in height. The proposed side and rear extensions are both set back c1m from the boundary with No. 5 Deanwood Place, in contrast to the existing garage. The rear extension projects c1.7m forward the rear building line of the garage of No. 5 for a proposed garden store. The kitchen sliding door leads onto the rear garden and is c. 5.5m from the rear boundary wall. I am satisfied that internal areas and private open space (at c46sqm) meet standards set out in the Development Plan and the 2024 Guidelines.

8.2.2. The appellant is concerned the proposal will have visual, overbearing and overshadowing impacts and be injurious to the residential use and enjoyment of the property. They state the scale and massing does not reflect the established pattern of development. The appellant refers to Section 11.15 Design Statements and states the applications design statement does not set out how the proposal meets development plan objectives and how placemaking and urban design criteria in the 2009 Manual have been considered. They suggest a single storey extension as an alternative solution.

8.2.3. With regard the design statement, I note Section 11.15 states '*All significant development proposals or proposals for development in sensitive areas should be accompanied by a detailed design statement that provides a framework explaining how a proposed development is a suitable response to the site and its setting*'. The design statement submitted with the application states the proposal seeks to create additional adaptable space to meet long term needs and outlines measures to mitigate overlooking and visual impact on the

adjoining property. The applicants in their response to the grounds of appeal state the proposal has been carefully designed in scale, positioning and setbacks to avoid overbearing and overshadowing impact and maintain residential amenity and it is consistent with the Development Plan. The applicant notes the estate has evolved over time creating a varied residential character rather than a uniform streetscape. I note they provided an example of a similar project in the local area (Planning Ref 24/4285) and state this pattern of development is evident in a 2km radius. Considering the nature, scale and location of the proposed development and that it is not in a protected area, it is my view that the applicant has provided a reasonable statement on how issues are addressed and the sites context.

- 8.2.4. I note the DoEHLG 2009 Urban Design Manual has been implemented in Chapter 3 Delivering Homes and Communities and Chapter 11 Placemaking and Managing Development of the Development Plan¹ and that Section 11.142 Adaption of Existing Homes states the *'design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy.'*
- 8.2.5. I observed that the site is in a mature residential area that has evolved over time. There are a range of extension styles, examples of similar type two storey extensions and the treatment of side boundaries and garages vary between properties in the area. I note that extensions along Deanwood Avenue leading to Deanwood Place and at Deanwood Place were developed under a previous Development Plan.
- 8.2.6. External finishes of the proposed extensions are a smooth render finish with concrete roof tiles to match the existing dwelling. Section 11.42 Adaption of Existing Homes states *'the character and form of the existing building should be respected, and external finishes and window types should match the existing'*. Section 11.143 states *'extensions should follow the pattern of the existing building as much as possible'*. Having regard to the above and the presence of extensions of similar design in the area, I consider that the design and external finishes of the proposed extensions integrate cohesively with the existing

¹ Appendix 1 of the Cork City Development Plan 2022-2029, Volume 1

dwelling and will not appear visually obtrusive or detract from the character of the area.

- 8.2.7. Having regard to the orientation of the site, existing development on site, the size, form and mass of the proposed development, the degree of set-back from the boundary and that the design respects the character and form of the existing building, I consider that the scale of the two storey element of the side extension and the setback of 1m from the boundary with No. 5 reduces the bulk of the proposed development. I do not consider that the adjoining property will be unduly impacted by overbearance.
- 8.2.8. Section 11.143 Adaption of Existing Homes in the Development Plan outlines that *'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'*. I note that the application includes an assessment of the shadowing effect to No. 5 on Drawing No. 2510-17 and the applicant's response states No. 3 Deanwood Place is on the northern side of No. 5 and shadowing will not be an issue. I have assessed this drawing and consider it to be a reasonable reflection of the proposal in the context of the wider area. Having regard to the orientation of both dwellings, the design and position of the side and rear extensions, the scale of the first floor side extension, the setback of 1m from the side boundary, I am satisfied that the windows and amenity space of the adjoining property will not be unduly impacted by overshadowing.
- 8.2.9. With regard overlooking, I note there is currently a degree of intervisibility in windows between the existing dwelling and No. 5 Deanwood Place. The proposal includes the removal of the first floor side window on the existing dwelling and a utility, bathroom, gym and home office at ground floor level facing the adjoining property. I note that the decision to grant permission included a condition that windows be fitted with obscure glazing to protect residential amenity (Condition 3). I am satisfied that subject to this condition, there would be no additional overlooking concerns between the properties to those currently experienced.

- 8.2.10. In relation to the proposed demolition of the garage, the existing garage structure forms part of the party boundary wall between the properties and the drawings state 'existing neighbour garage external wall (northern side) to have a dashed finish to match existing. New parapet wall and flashing to be constructed along western elevation'. I note the planning authority assessment recommended applying a condition to ensure the garage elevation remaining following demolition works is suitably finished and the decision to grant permission included the following: *'Prior to the commencement of development, the full details (including a drawing and material specifications) of the finish to the remaining garage elevation following demolition works shall be submitted to and agreed in writing with the Planning Authority. Reason: In the interests of proper planning and development'* (Condition 5). I also note the appellant considers the wording inadequate. Considering that the drawings do not show the garage elevation remaining following demolition works, that the wall is unfinished and forms part of the party boundary wall and that the garages share a roof, it is my view that the condition is appropriate in the interests of proper planning and development. As outlined in Section 8.1.6, I note that any encroachment on property is a civil matter to be resolved between the parties.
- 8.2.11. I note that the appellant did not object to the principle of an extension and the decision to grant permission included a condition that the dwelling be used as a single dwelling unit (Condition 4). I consider it appropriate to include this condition to protect residential amenities.

8.3. Environmental matters

- 8.3.1. The appellant raised concern about the assessment of environmental matters associated with the garage roof. I note the matters raised in relation to asbestos. Asbestos is, however, a notifiable substance and is therefore the subject of a separate legal code. The issue of compliance with Building Regulations will be evaluated under a separate legal code and thus need not concern the Commission for the purposes of this appeal.
- 8.3.2. I note that concerns raised by the appellant are acknowledged by the applicants in their response who state asbestos related works will be carried

out in accordance with environmental, waste management, health and safety and hazardous material legislation. I also note the Council attached a condition relating to waste segregation and the disposal of asbestos (Condition 10). Further conditions were included relating to restrictions on noise level and working hours (Condition 11) and to ensure no appreciable negative environmental impacts during construction works and that waste is removed by authorised waste contractors (Condition 12).

- 8.3.3. In relation to Condition 10 relating to waste segregation and asbestos, as this matter is subject to a separate legal code and having regard to requirements in relation to hazardous substances, I do not consider this condition necessary. Having regard to the existing garage structure, I do consider it appropriate to include a condition that a Construction Management Plan be agreed with the Planning Authority should the Commission grant permission. This should incorporate details on disposal of demolition/construction waste, intended demolition/construction practice, hours of working, asbestos management measures and noise and dust management measures in the interests of public safety and residential amenity. I also consider it appropriate to include a condition controlling the hours of construction in the interests of residential amenity.

8.4. Other matters

- 8.4.1. *Technical considerations:* The appellant states information provided in the application was inadequate to allow assessment and there is no site photos referenced in the planner's report and no comment on the existence or validity of the site notice. The planning authority submitted a photomontage taken during the site inspection carried out by Cork City Council to be added to appeal documents and the planners report states the information submitted was considered sufficient for assessment and met the Councils validations requirements. The applicants state the notice remained in place for the required 5 week period and there are site notice photos on the Councils planning portal. I note these matters were considered acceptable by the planning authority. The applicant also stated no formal notification of the decision by the planning

authority had been forwarded to the appellant or their consultant when writing the appeal. I note this matter did not prevent the appellant making an appeal and the Commission accepted it as a valid appeal.

- 8.4.2. *Devaluation of property*: I note the concerns raised in the grounds of appeal and the applicant's response in respect to value of property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

9.0 **AA Screening**

- 9.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The subject site is located 3.7km west of Cork Harbour SPA (004030) and 10km west of Great Island Channel SAC (001058).
- 9.3 No nature conservation concerns were raised in the planning appeal.
- 9.4 Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The nature of the development proposal.
 - The location of the development in a serviced area.
 - The distance to the Natura 2000 network and the absence of pathways to any European Site.
- 9.5 I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.
- 10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

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

12.0 Reasons and Considerations

- 12.1.1. Having regard to the ZO1 Sustainable Residential Neighbourhoods zoning objective of the site in the Cork City Development Plan 2022-2028, support in the Development Plan for the adaptation of existing homes, the location and context of the site, the nature and scale of the proposed development, the pattern of development in the area and the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure residential or visual amenities and would not detract from the character of the area. The proposed development is therefore in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions. REASON: To clarify the plans and particulars for which permission is granted.
2.	Prior to the commencement of development, the full details (including a drawing and material specifications) of the finish to the remaining garage elevation following demolition works shall be submitted to and agreed in writing with the Planning Authority. REASON: In the interests of proper planning and development.
3.	The proposed window on the first floor rear (west) elevation and the windows to the proposed w.c., utility room and gym on the ground floor side (south elevation) of the extension shall be fitted permanently with obscured glazing. REASON: In the interest of residential amenity.
4.	The entire dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units. REASON: In the interest of residential amenity.
5.	The external finishes of the proposed extension (including roof) shall harmonise with those of the existing dwelling in respect of colour and texture. REASON: In the interest of visual amenity.
6.	Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. REASON: In the interest of public health and surface water management.
7.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation

	from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. REASON: In the interest of residential amenity.
8.	Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction/demolition works. This plan shall provide details of intended construction/demolition practice for the development, including hours of working, noise and dust management measures, asbestos management measures and off-site disposal of construction/demolition waste. REASON: In the interest of public safety and residential amenity.
9.	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.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Michele Beirne
Planning Inspector

28th July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501245-CC-26
Proposed Development Summary	Construction of 2 storey extension and single storey rear extension and porch and all associated site works.
Development Address	3, Deanwood Place, Togher, Cork, T12H7T8
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required
No ☐	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____