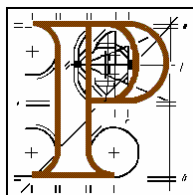


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

**Cork County**

**Planning Register Reference Number: 12/06628**

An Bord Pleanála Reference Number: PL 04.241711

**APPEAL** by Liam and Florence Keary care of All Aspects of Design of Bridestown, Kildinan, County Cork against the decision made on the 18<sup>th</sup> day of February, 2013 by Cork County Council to grant subject to conditions a permission to Yvonne and Jose Garcia care of Corcoran Engineers and Architects of 15 Mill Road, Midleton, County Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a two storey dwelling with attic accommodation and relocation of site entrance along with all other associated site works at 51 Wheatfields, Kilmoney Road, Carrigaline, County Cork.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 location of the site within the settlement boundary of Carrigaline and to the design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 terms and conditions of previous planning register reference number 03/6957 shall be complied with in full, except where contravened by the terms and conditions of this permission.

**Reason:** In the interest of clarity.

3. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, revised plans incorporating the following requirements:-
  - (a) a 2.7 metre separation shall be provided between the northern flank wall of the dwelling house and the boundary wall defining the northern site boundary, and
  - (b) the first floor window on the northern elevation shall be permanently retained in opaque glazing.

**Reason:** In the interest of residential amenity.

4. Prior to commencement of construction of the house, details of the materials, colours and textures of all the external finishes to the proposed house shall be submitted to the planning authority for agreement.

**Reason:** In the interest of orderly development and the visual amenities of the area.

5. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of orderly development and the visual amenities of the area.

6. Water supply and drainage arrangements, including the 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 to ensure a proper standard of development.

7. Construction and site works to implement the proposed development shall be carried out only between the hours of 08.00 to 19.00 Monday to Fridays inclusive, between 09.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays.

**Reason:** To safeguard the amenities of adjoining residential occupiers.

8. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to the planning authority for agreement before development commences. The scheme shall include a timescale for its implementation.

**Reason:** In the interest of visual amenity.

9. Any gates erected at the site entrance shall open inwards.

**Reason:** In the interest of traffic safety.

10. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion of sewers, watermains, footpaths and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The security to be lodged shall be as follows -
- (a) an approved insurance company bond in the sum of €2,000 (two thousand euro), or
  - (b) a cash sum of €2,000 (two thousand euro) to be applied by the planning authority at its absolute discretion if such services are not provided to its satisfaction, or
  - (c) such other security as may be accepted in writing by the planning authority.

Reason: To ensure the satisfactory completion of the development.

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

**Dated this            day of            2013.**