

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork City

Planning Register Reference Number: 16/36933

An Bord Pleanála Reference Number: PL 28.247674

APPEAL by Cormac Lalor care of PLM Architects of 15 Father Mathew Quay, Cork and by Sean Cooper care of PLM Architects of 15 Father Mathew Quay, Cork against the decision made on the 7th day of November, 2016 by Cork City Council to grant subject to conditions a permission to Into the Future Limited care of McCutcheon Halley Walsh of 6 Joyce House, Barrack Square, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of an existing dwelling house and the construction of two number dwelling houses and all associated ancillary development works including landscaping, drainage, parking, vehicular entrances and the setback of the northern boundary of the adjoining Douglas Wells Apartments to improve visibility along Well Road, all at Inish, Well Road, Douglas, 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 land-use zoning of the site, the existing pattern of development on the site and in the vicinity, and the scale and design of the proposed dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed development would not give rise to a traffic hazard, would not injure the visual amenity of the area or the residential amenity of property in the vicinity. The proposed development 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, as amended by the further plans and particulars submitted on the 10th day of October, 2016, 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. Details of the materials, colours and textures of all the external finishes to the proposed residential units shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The windows serving all bathrooms, en-suites and walk-in wardrobes shall be permanently fitted and maintained with obscure or stained glass. The use of film is not permitted.

Reason: In the interest of proper planning and sustainable development of the area.

4. Water supply and 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.

5.
 - (a) The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.
 - (b) Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between the hours of 0900 and 1400 on Saturdays and not at all on Sundays, Bank or 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 public safety and residential amenity.

6.
 - (i) Prior to the commencement of development a 1.8 metre-wide footpath shall be provided along the full perimeter of the boundary and extending along the boundary of the adjoining property. Details of same shall be approved in writing, by the planning authority, prior to the commencement of development. The works shall be undertaken and paid for at the developer's expense.

- (ii) The gates for the proposed new vehicular entrances shall comprise bi-folding gates or bi-parting sliding gates to avoid conflict with future vehicles using the proposed new driveways/parking areas.
- (iii) The footpath in front of the new driveway vehicle entrance shall be dished and strengthened at the developer's expense in accordance with the requirements of the Roads Maintenance and Roads Control Section of the planning authority.

Reason: In the interest of traffic safety.

- 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 the 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 the Board 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.

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

Dated this day of 2017.