



An
Bord
Pleanála

Board Direction
BD-001771-18
ABP-301860-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/11/2018.

The Board decided to make a split decision, to

- (1) **grant** permission, for the following reasons and considerations and subject to the following conditions for the demolition of the existing studio, alterations and extensions to the existing dwelling on the site.

Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2017-2023, to the scale and nature of the proposed development and to the nature and character of the surrounding environment, it is considered that subject to compliance with the conditions set out below, the proposed development, comprising the demolition of the existing studio and the carrying out of alterations and extensions to the existing dwelling on the site, would be an acceptable form of development at this location and would not seriously injure the amenities of the area or give rise to an intensification of use. 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, 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.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to a single dwelling house (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of protection of residential amenity.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The site shall be landscaped in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to screen the development and assimilate it into the surrounding townscape and in the interest of visual amenity.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the

development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

7. 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.

8. S48 unspecified

and

- (2) **refuse** permission for the construction of a new dwelling on the site

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the restricted and backland nature of the site, the proposed development, comprising the introduction of a second dwelling house on the site, would result in a cramped and disorderly layout with poor quality private amenity areas, would give rise to overdevelopment of the site and would be out of character with the established pattern of development in the area. The proposed development, would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.
2. The proposed development would result in the intensification of use of an access onto the R597, which is a Strategic Regional Road on the Wild Atlantic Way, at a point where the sightlines at the entrance are restricted in both directions, and would necessitate the removal of a substantial amount of roadside vegetation. Having regard to the lack of control by the developer

over the necessary lands to attain the required sight distances and to maintain them in perpetuity, it is considered that the proposed second dwelling on the site would endanger public safety by reason of a traffic hazard and that the additional and conflicting traffic movements generated by the proposed development would interfere with the safety and free flow of traffic on the public road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

Board Member:

Date: 27/11/2018

Terry Prendergast