

An
Bord
Pleanála

Board Direction
BD-010406-22
ABP-311951-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/03/2022.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2014, the established residential use and the planning history of the site, the pattern of development in the vicinity and the scale of the development as proposed, it is considered that the works proposed for retention, and subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would not, therefore, be contrary to the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 height of the retaining wall shall be reduced by 1m, amounting to the above ground wall as constructed along the rear and eastern boundary of the subject site. The wall shall be replaced by a natural hedge and the works shall be carried out within 3 months of this grant of planning permission.

Reason: In the interests of visual and residential amenity and to minimise the overbearing nature of the retaining wall

3. Within 3 months of this grant of planning permission, a full structural report shall be submitted to the Planning Authority, prepared by a suitably qualified person, who shall certify that the retaining wall, reduced in height, is constructed as such and is fit for purpose. The report shall include the relevant engineering drawings and sections of the wall.

Reason: In the interests of proper planning and sustainable development.

4. The garden shed hereby permitted shall be used only for purposes incidental to the enjoyment of the dwelling house.

Reason: To restrict the use of the shed in the interest of residential amenity.

5. All relevant conditions attached to previous grant of permission for development at the site, Planning Authority reference 17/6432 shall be strictly adhered to.

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

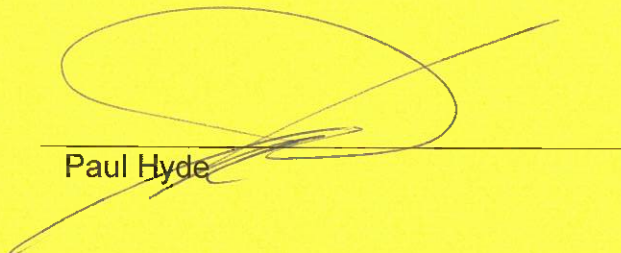
6. Within 3 months of this grant of planning permission, the developer shall submit to the Planning Authority full details of the surface water disposal measures within the site. No surface water shall be permitted to flow onto public roads or adjacent private properties.

Reason: In the interests of orderly development and to prevent flooding of public roads or private property.

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.

Board Member



Paul Hyde

Date: 30/03/2022

