



An
Bord
Pleanála

Board Direction
BD-012397-23
ABP-313033-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/06/2023.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the established pattern of development within the vicinity of the site and to its location within a town centre, it is considered that subject to compliance with the conditions set out hereunder, the proposed development would not seriously injure the amenities of adjoining property or of the area and would be in accordance with proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the objectives of the Cork County Development Plan 2022-2028 in relation to Ringaskiddy, the town centre zoning status of the site as well as compliance with objectives and policies relating to infill development.

Regarding issues raised in relation to boundary issues, the Board noted the provisions of Section 34 (13) of the Planning and Development Act 2000 wherein 'A person shall not be entitled solely by reason of a permission under this section to carry out any development.'

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. (a)Roof covering shall be slate or flat tile coloured dark grey or black to the satisfaction of the Planning Authority

(b) All external walls of proposed structure shall be finished in smooth plaster or natural stone of a type indigenous to the local area.

Reason ; In the interests of visual amenity

3 . The first floor window on the southern elevation shall have frosted/obscured glass only.

Reason ; To prevent overlooking of adjoining site .

4. Prior to the commencement of development , the developer shall enter into a connection agreement with Irish Water in relation to the development .

Reason ; In the interests of orderly development .

5. Surface water shall be disposed of within the site by means of soakways and shall not be allowed to flow onto the public road.

Reason : To prevent flooding of the public road .

6. Vegetation or any structure shall not exceed 1m in height within the sight distance triangle .

Reason : To provide proper sight distance for emerging traffic in the interests of road 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 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



Joe Boland

Date: 09/06/2023

