

**An
Bord
Pleanála**

**Board Direction
BD-012590-23
ABP-313423-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/06/2023.

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 City Development Plan 2022-2028, to the established residential use of the site and land in the vicinity of the site, to the pattern of development in the vicinity and to the scale of the development, as proposed, it is considered that the proposed development works, 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 as amended by the further plans and particulars submitted on the 03rd day of March 2022 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 structure to be retained on the site shall be used solely for uses incidental to the enjoyment of the house and shall not be used as a habitable space or commercial premises without a prior grant of planning permission for such use.

Reason: To restrict the use of the garage in the interest of the proper planning and sustainable development of the area.

3. Within three months of receipt of this grant of planning permission, the developer shall undertake the landscaping and boundary treatment works on the northern boundary as set out in Drawing No. 1194 AP-001, submitted to the planning authority on the 07th day of March 2022. Photographic evidence of the completed works shall be submitted to the Planning Authority within this timeframe.

Reason: In the interest of residential and visual amenity.

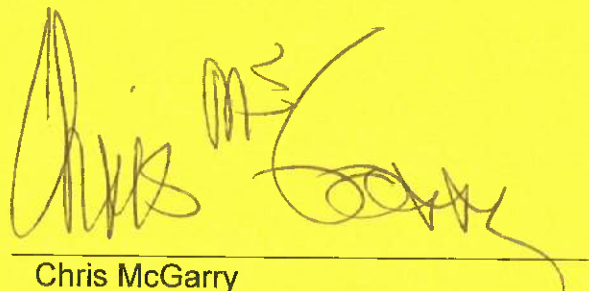
4. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. 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



Chris McGarry

Date: 27/06/2023

