

An  
Bord  
Pleanála

**Board Direction**  
**BD-012777-23**  
**ABP-313752-22**

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 residential land use zoning of the site, the nature and scale of the proposed development, and the provisions of the Cork City Development Plan 2022-2028 including Section 11.139 (Infill Development) and Section 11.145 (Residential Entrances/Parking in Front Gardens), it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the residential amenities of the area or of property in the vicinity in terms of overlooking, overbearing or overshadowing impacts nor would it represent a traffic safety hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

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| 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 |
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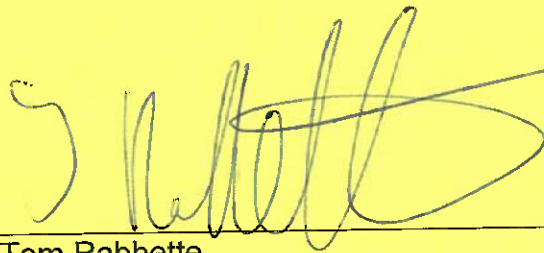
	<p>plans and particulars submitted on the 4<sup>th</sup> February 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Prior to the commencement of development, details of the materials, colours and textures of all external finishes, shall be submitted to and agreed in writing by the Planning Authority.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p>
3.	<p>The proposed vehicular entrance shall not exceed 3.0 metres in width and shall not have outward opening gates. The footpath and kerb shall be dished at the road junction in accordance with the requirements of the planning authority. Details indicating the proposed compliance with the above requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of clarity, and pedestrian and traffic safety.</p>
4.	<p>Prior to the commencement of development, details of the boundary treatments, including repairs to the stone wall along the eastern boundary of the site, shall be submitted to and agreed in writing by the Planning Authority.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p>
5.	<p>a) All trees and hedgerows within and on the boundaries of the site, except those specified for removal as part of this permission, shall be protected during building operations and retained thereafter.</p> <p>b) Tree felling and clearing of vegetation shall take place outside of the bird nesting season.</p> <p>Reason: In the interest of visual amenity and biodiversity protection.</p>

6.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
7.	<p>The applicant or developer shall enter into water and wastewater connection agreement(s) with Irish Water prior to the commencement of this development.</p> <p>Reason: In the interest of orderly development.</p>
8.	<p>The name and numbering of the dwelling shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing, by the Planning Authority, prior to the occupation of the dwelling.</p> <p>Reason: In the interest of orderly street numbering.</p>
9.	<p>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 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.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
10.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
11.	<p>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</p>

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**



Tom Rabbette

**Date:** 06/07/2023