



An
Bord
Pleanála

Board Direction
BD-013935-23
ABP-317276-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/09/2023.

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

Reasons and Considerations

In deciding not to accept the Inspector's recommendation to refuse permission, the Board were mindful of the relative position of numbers 7 and 8 Pembroke Court to the proposed development, noting that the proposed development is offset to numbers 7 and 8 Pembroke Court.

Conditions:

Condition 1:

The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to Cork County Council on the 16th of March 2023, 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.

Condition 2

The external finishes of the proposed dwelling (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture unless otherwise agreed with Cork County Council by submitting samples of the proposed materials and agreed in writing with, the planning authority prior to commencement of development.]

Reason: In the interest of visual amenity.

Condition 3

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: [In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling]. [In the interest of the amenities of the area.]

Condition 4

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.

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.

Condition 5

Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 09.00 to 14.00 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.

Condition 6

Water supply and drainage arrangements, including the [attenuation and] 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.

Condition 7

Proposals for a house number and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility [and to ensure the use of locally appropriate placenames for new residential areas.

Board Member



Date: 28/09/2023

Liam Bergin

