

An
Bord
Pleanála

Board Direction
BD-016833-24
ABP-318431-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/06/2024.

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 zoning for the site of the proposed development as set out in the Cork City Development Plan 2022-2028, Section 4.36 that supports infill development to optimise the role that small sites in the City can play in providing new homes for Cork's expanding population, the planning history of the site and the overall design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development is in accordance with policies and objectives in the Development Plan, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 22nd day of September, 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.

2. The proposed development shall be amended as follows:

a) The proposed pedestrian access shall be omitted. In its place the applicant shall provide a shared vehicle entrance with a maximum width of 3m and positioned on the northernmost side of the front boundary. A revised design and layout that provides potential vehicle access from the front setback area of No. 1 Roger Casement Park.

b) The balcony screen shall be fitted with obscure glass.

c) The windows on the southern and eastern first floor level elevations shall be permanently fitted with obscure glass.

Reason: In the interests of orderly development as well as in the interest of the visual and residential amenity of the area.

3. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

4. Details of the materials, colours, and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Access to non-amenity roof areas shall be restricted for the purpose of maintenance works only.

Reason: In the interest of residential amenity.

6. Drainage arrangements, including the attenuation, disposal of surface water and implementation of Sustainable Urban Drainage measures, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. The developer shall comply with all requirements of the planning authority in relation to any modifications of the adjoining public domain, including any amendments to the adjoining pedestrian footpath.

Reason: In the interest of pedestrian and traffic safety and the proper planning and development of the area.

8. Prior to the commencement the developer shall enter into water and wastewater connection agreements with Uisce Eireann.

Reason: In the interest of public health.

9. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 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 amenities of property in the vicinity.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

11. The car parking area serving the proposed dwelling shall be provided with electrical connection point, to allow for functional electric vehicle charging. Details of how it

is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.


12. 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


Martina Hennessy

Date: 26/06/2024