

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 15/05755

An Bord Pleanála Reference Number: PL 04.246068

APPEAL by Ted Dinan and Lucinda Scott of Merton House, French's Walk, Cobh, County Cork against the decision made on the 21st day of December, 2015 by Cork County Council to grant subject to conditions a permission to Compass Homes Limited care of O'Mahony Pike Architects of 60 South Mall, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The construction of one number two-storey four bedroom dwelling and all associated site development and landscape works on a site of circa 0.1 hectares at Belmont Huts, Carrignafoy Townland, Cobh, County Cork. The boundary of the subject site is a Protected Structure. The subject site forms part of a larger development site, which has the benefit of a grant of planning permission for 17 number units and all associated landscaping and road works (Cork County Council planning register reference number 14/05275, An Bord Pleanála appeal reference number PL 04.244181), upon which the subject application is dependant for road access.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the zoning of the site as set out in the Cobh Town Development Plan 2013–2019, to the planning history of the site and adjacent lands including, in particular, the permission granted under An Bord Pleanála appeal reference number PL 04.244181, to the nature, extent and design of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not seriously injure the character of any protected structure, would not be prejudicial to public health, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

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 plans and particulars submitted on the 25th day of November, 2015, 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 house site shall be developed in accordance with the further plans and particulars for Option 1 as submitted to the planning authority on the 25th day of November, 2015 and in all other regards the housing scheme, including in respect of the overall site boundary wall, conservation, archaeology, landscaping, finishes and the payment of a bond to secure the satisfactory completion and maintenance of the scheme, shall be constructed in accordance with the permission granted and the conditions attaching to An Bord Pleanála appeal reference number PL 04.244181.

Reason: In the interests of clarity and orderly development.

3. The glazing on the southern elevation of the dwelling shall be of non-reflective type and design.

Reason: In the interest of visual amenity.

4. The hereby permitted house shall not be occupied until the watermain, foul sewer, storm sewer and public lighting provisions serving the development are installed and functioning to the satisfaction of the planning authority.

Reason: In the interests of residential amenity and public health.

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

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.