

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork City

Planning Register Reference Number: T.P.15/36591

An Bord Pleanála Reference Number: PL 28.246523

APPEAL by Willie and Joan McInerney care of A2 Architects of 3 Great Strand Street, Dublin against the decision made on the 5th day of April, 2016 by Cork City Council to grant subject to conditions a permission to Conleth and Maebh Murphy care of Mulcahy Ralph Architects of 5 Dundanion Court, Blackrock Road, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of an existing two-storey extension to the rear of a two-storey existing dwellinghouse, the construction of a two-storey extension to the side and rear of the existing dwellinghouse, alterations to the existing dwellinghouse, the demolition of an existing garage to the rear of the site, a new vehicular entrance from the rear of the site opening onto Mardyke Walk, with associated carport and store and all associated site works, all at El Giraldo, Western Road, Cork.

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 site location, the pattern of development in the area and the scale and design of the development proposed, 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 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 9th day of March, 2016, 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 new vehicular entrance onto Mardyke Walk shall be limited to 3.5 metres in width and shall be positioned to the satisfaction of the planning authority.
 - (b) The gate(s) to the new vehicular entrance onto Mardyke Walk shall be of the sliding variety and shall not open onto the public footpath/road. Details of the design and finish of this gateway shall be agreed in writing with the planning authority.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity and traffic safety.

3. The three number first floor windows on the western elevation of the proposed development shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

4. Details of the materials, colours and textures of all the external finishes to the proposed development 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. The proposed store shall be used only for purposes connected with the enjoyment of the dwellinghouse as such and shall not be used for any commercial or business purpose without a prior grant of planning permission.

Reason: In the interest of residential amenity.

6. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

7. 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 noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

8. 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 or public holidays. Deviation from these times shall 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.

9. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

10. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

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

Dated this day of 2016.