

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork City**

**Planning Register Reference Number: 16/36871**

An Bord Pleanála Reference Number: PL 28.246917

**APPEAL** by Michael O'Sullivan of Clifden, Carrigeen Park, Ballinlough Road, Cork and by Eileen McParland of 17 Carrigeen Park, Ballinlough, Cork against the decision made on the 28<sup>th</sup> day of June, 2016 by Cork City Council to grant subject to conditions a permission to Tom O'Connor care of Breeda O'Leary of Bridestown, Kildinan, County Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of rear garden storage structure attached to rear of dwelling at 'Saint Annes', 7 Castlegreina Park, Boreenmanna 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 provisions of the Cork City Development Plan 2015-2021, and to the nature and scale of the structure to be retained, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be retained in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The development it is proposed to retain shall be amended as follows:
  - (a) The high level obscured glazing shall be removed and replaced with timber, or other suitable solid, horizontal louvre panelling, the type and finish of which shall be agreed with the planning authority prior to installation.
  - (b) The eastern external gable wall of the shed structure shall be rendered or plastered.

Revised drawings and photographs showing compliance with these requirements shall be submitted to the planning authority for written agreement within three months of the date of this order.

**Reason:** In the interests of visual and residential amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

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 within three months of the date of this order 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.

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

**Dated this            day of            2016.**