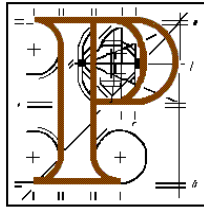


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork City**

**Planning Register Reference Number: T.P. 16/36818**

An Bord Pleanála Reference Number: PL 28.247184

**APPEAL** by Veronica Connolly and others of “Belvelly”, 22A Dundanion Road, Beaumont, Cork against the decision made on the 3<sup>rd</sup> day of August, 2016 by Cork City Council to grant subject to conditions a permission to Lucen Homes Limited care of McCutcheon Halley Walsh, 6 Joyce House, Barrack Square, Ballincollig, Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** The demolition of an existing dwellinghouse and the construction of five number dwellinghouses and all associated ancillary development works including landscaping, drainage, parking and vehicular entrances on to Dundanion Road and Upper Beaumont Drive at 37 Dundanion Road, Blackrock, Cork. The proposed development was revised by further public notices received by the planning authority on 7<sup>th</sup> day of July, 2016, (which reduced the number of dwellinghouses to four).

## **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 subject site, as set out in the Cork City Development Plan 2015-2021, to the nature, extent and design of the proposed development, and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area, would not be out of character with the pattern and design of development in the area, and would be acceptable in terms of traffic safety and convenience. The proposed development 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 24<sup>th</sup> day of June 2016 and the 7<sup>th</sup> day of July 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 four houses hereby permitted shall be relocated forward (to the south) of their proposed positions on site, so that the front building line of the houses aligns with the front building line of the dwelling to the east.
  - (b) The layout of the driveways and front gardens of house types B and C, consequent on the relocation of these houses required by condition 2 (a), shall be modified to ensure that cars can manoeuvre on each site so as to be able to enter and exit each site without having to reverse onto the public road.
  - (c) All windows serving landings, WCs, en suite WCs and bathrooms in the proposed development shall be permanently fitted with opaque glazing.

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, public safety and to ensure the protection of residential amenities of adjoining properties.

3. 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. Roof colours shall be blue-black or dark grey only, including ridge tiles.

**Reason:** In the interest of protecting the residential amenity of surrounding properties.

4. Site development and building works shall be carried only out between 08.00 hours and 18.00 hours Mondays to Fridays excluding bank holidays and between 08.00 hours and 13.00 hours on Saturdays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In the interest of protecting the residential amenity of adjoining properties.

5. 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, measures to prevent pollution to local watercourses, and off-site disposal of construction/demolition waste.

**Reason:** In the interests of clarity, orderly development and amenity.

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.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interest of visual and residential amenity, and of sustainable development.

8. The landscaping scheme accompanying the planning application shall be implemented in full in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. The existing trees along the southern/western boundary of house type A shall be retained, and shall be adequately protected during the period of construction in accordance with BS: 5837. Such measures shall include a protection fence which shall be erected, beyond the branch spread of these trees, before any demolition or construction works commence on the site. No construction work or storage shall be carried out within the protective barrier.

**Reason:** In the interests of visual amenity, ecology and sustainable development.

9. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** In the interests of residential amenity and proper waste management.

10. 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.

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

**Dated this            day of            2017.**