

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork City

Planning Register Reference Number: 16/36902

An Bord Pleanála Reference Number: PL28.247553

APPEAL by Ray and Patricia O'Mahony care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork and by Carol and Martin Veiga care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 13th day of October, 2016 by Cork City Council to grant subject to conditions a permission to Marie Therese O'Sullivan care of Bertie Pope and Associates of 2 Hodders Villas, West Village, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Demolition of existing dwelling, "Pinewood" and the construction of a new two-storey dwelling on site with access from Farranlea Park via existing Little Orchard access road and connection to existing services and all associated site development works at "Pinewood" Little Orchard, Farranlea Park, Cork.

The proposed development was revised by further public notices received by the Planning Authority on the 22nd day of September, 2016.

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 nature and location of the site, to the pattern of development in the area and to the overall dimensions of the site in an area provided with public services, the Board considered that the proposed development subject to compliance with the conditions set out below, would be acceptable in terms of traffic safety and convenience and in terms of residential impacts. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that residential impacts of the proposed development as amended by further information submitted with the application would be acceptable given the location and zoning of the site.

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 8th day of September, 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. 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.

3. A two metre high solid block and capped boundary wall shall be provided along the rear boundary, that is the northern boundary, and additional mature planting shall be provided along the entire length of this boundary.

Reason: In the Interest of residential amenity.

4.
 - (a) Any future gates/doors shall be recessed and/or be incapable of opening outwards and steps and access ramps shall be recessed or contained within the curtilage of the proposed development, in order not to impede or obstruct the public road or footpath.
 - (b) Surface water from the site shall not run across the public footpath or road.

Reason: In the interest of traffic safety.

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 2017.