

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork County

Planning Register Reference Number: 16/05133

An Bord Pleanála Reference Number: PL 04.247747

APPEAL by James Kelleher and Lindsey Buchet care of John MacCarthy and Partners of 16 Mary Street, Cork against the decision made on the 22nd day of November, 2016 by Cork County Council to grant subject to conditions a permission to Sister Consilio of Chuan Mhuire care of BJS Consultants of 1 Marble Hill, Boreenmanna Road, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention and completion of a woodland pathway, associated plant clearance and landscaping, and the installation of wooden sculptured stations of the cross figures, all at Knockshanawee, Farnanes, County 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 nature and scale of the development for which retention and completion is sought, the pattern of development in the area, the planning history and established use of the application site, and the provisions of the Cork County Development Plan, 2014, it is considered that, subject to compliance with the conditions set out below, the subject development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, not be contrary to the proper planning and sustainable development of the area.

REASONS AND CONSIDERATIONS

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 28th day of October, 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 within three months of the date of this order and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The landscaping scheme shown on drawing number 16/CMC/01, as submitted to the planning authority on the 28th day of October, 2016 shall be carried out within six months of the date of this order.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

3. The surfaced area of the woodland pathway, except at the 14 locations of the stations of the cross, shall be reduced to a maximum width of two metres through the provision of soil and topsoil, following completion of the works and of the landscaping referred to in condition number 2 of this order, or within one year of the date of this order, whichever is the sooner.

Reason: In the interest of visual amenity and to prevent the use of this pathway by vehicles, following cessation of construction works, in the interest of protecting the residential amenities of adjoining property.

4. Site development and building works shall be carried out between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 14.00 on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

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

Dated this day of 2017.