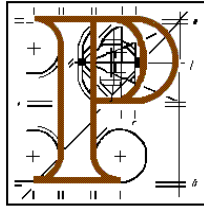


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork County

Planning Register Reference Number: 16/06511

An Bord Pleanála Reference Number: PL 04.247827

APPEAL by Carmel O’Keeffe care of Project Chartered Architects Limited of 21 Lower Main Street, Dungarvan, County Waterford against the decision made on the 15th day of December, 2016 by Cork County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: The construction of a new single storey dwelling, new entrance, connections to the public sewers and all associated site works at “Coolamber”, Duntahane, Fermoy, County Cork.

DECISION

GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said Council, 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 pattern of development in the area, the nature of this proposed development (an infill house within on a large site in an existing residential area), the design of the dwelling and the provisions of the Development Plan for the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience of road users, would not seriously injure the amenities of the area or of property in the vicinity, and would 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 was satisfied that an additional entrance onto to this cul-de-sac road in a residential estate would not be likely to create hazardous road conditions or turning manoeuvres, and agreed with the appellant that adequate visibility was available for vehicles from the proposed new entrance. The Board was satisfied that a traffic hazard would not arise. The Board was also satisfied that, subject to satisfactory boundary treatments being completed, the proposed single storey dwelling would not impinge upon the residential amenities of adjacent property.

CONDITIONS

1. The development shall be carried out and completed 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 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. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority, a full schedule of proposed boundary treatments around the entire site, which shall ensure that no overlooking of adjacent residential property can occur.

Reason: In the interest of residential amenity.

3. 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.

4. Site development and building works shall be carried out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 residential amenities of property in the vicinity.

5. The site shall be landscaped in accordance with the site layout plan, drawing number 648-PL-101, submitted to the planning authority on the 10th day of October, 2016. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. 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 the 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.