



An  
Bord  
Pleanála

## Board Order PL 04.249313

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### Planning and Development Acts 2000 to 2017

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/04530**

**Appeal** by David Hamilton care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 28<sup>th</sup> day of August, 2017 by Cork County Council to grant subject to conditions a permission to T. & V. Barry Investments and Holdings Limited care of Una O'Sullivan of Urban Flo, North Main Street, Bandon, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for change of design to dwelling type, garage, site layout including realignment of northern boundary on site number 3 and permission for change of design to dwelling type on site number 6, all as previously granted under planning register reference number 13/06119, together with all associated site works at Ashgrove Meadows, Clogheenavodig, Bandon, 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 permitted development on the subject sites, the pattern of development and the extent of the development proposed, it is considered that, subject to compliance with the conditions set out below, the development proposed to be carried out would not seriously injure the amenities of properties in the area or the area generally and 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, 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 comply with the terms and conditions of planning register reference number 07/11025 and 13/6119 which governs the overall development of the lands of which the site forms part, save where amended by the terms and conditions herein.

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

3. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement.

**Reason:** In the interest of orderly development and the visual amenities of the area.

4. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of orderly development and the visual amenities of the area.

5. That all necessary measures be taken by the contractor to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

6. Water supply and all drainage arrangements, including the 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 and to ensure a proper standard of development.

7. 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 the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of waste.

**Reason:** In the interest of amenities and public safety.

8. 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.

