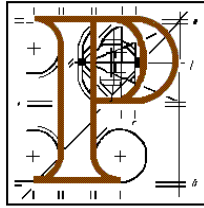


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Cork City**

**Planning Register Reference Number: T.P. 17/37529**

An Bord Pleanála Reference Number: ABP-300042-17

**APPEAL** by Liam Mullins of 75 Rathmore Terrace, off Richmond Hill, Cork against the decision made on the 5<sup>th</sup> day of October, 2017 by Cork City Council to grant subject to conditions a permission to Ted Dinan of Waterman Consulting Engineers of 4 Union Quay, Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of demolition of a single storey extension to the rear of the dwellinghouse and construction of a ground floor extension to the rear of dwellinghouse and all associated site works, at 76 Rathmore Terrace, Richmond Hill, Old Youghal Road, 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, location and context of the site and surrounding areas, to the policies and objectives of the Cork City Development Plan, 2015-2021, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the retention of the proposed development would not seriously injure the residential or visual amenities of the area and 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 concurred with the view of the planning authority regarding the general acceptability of the development and noted the pattern of development in the area which included similar extensions.

## CONDITIONS

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

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

2. All drainage shall be separated throughout. All paved and roofed areas shall discharge to the storm drainage system. All toilets, urinals, wash hand basins, sinks, showers and baths shall discharge to the foul drainage system.

**Reason:** In the interest of public health.

3. Drainage shall be on separate systems connected at last manhole within the development.

**Reason:** In the interest of public health.

4. All storm runoff from the proposed development shall discharge to existing storm drains located within the site boundary. There shall be no new connection to the public sewerage system.

**Reason:** In the interest of public health.

5. Having regard to the existing private common combined drain passing through the site of the development and servicing a number of other properties upstream, the developer shall ensure that there is no damage to this drain either before, during or after the proposed development works.

**Reason:** In the interest of public health.

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 within three months of the date of this order 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.

7. The developer shall pay to the planning authority a financial contribution in respect of the Cork Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this order 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 Supplementary Development Contribution Scheme made under section 49 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            2018.**