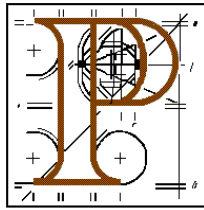


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Cork City

Planning Register Reference Number: 17/37431

An Bord Pleanála Reference Number: ABP-300134-17

APPEAL by Anthony and Veronica Canty of 'The Beeches' Model Farm Road, Cork and by Paul Canty of 'Renmore', Model Farm Road, Cork against the decision made on the 11th day of October, 2017 by Cork City Council to grant subject to conditions a permission to Tim and Catherine O'Connor 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 and the construction of a new dwelling with access from the Model Farm Road at 'Maretimo', Model Farm Road, and all associated site development works, all at 'Maretimo', Model Farm 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 land-use zoning of the site and to the existing pattern of development on the site and in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of adjoining properties of the area 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, as amended by the further plans and particulars submitted on the 23rd day of August 2017, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority revised floor plans and elevation drawings, cognisance being had to the amendments proposed in the elevation and section drawings submitted to the planning authority on the 23rd day of August, 2017.

Revised plans shall reflect the following:

- (a) The first-floor window serving the bathroom in the western elevation shall be finished in obscured glazing (the use of film is not permitted) and opening sections shall be restricted to top-hung pivot.
- (b) The two first-floor windows serving bathrooms in the eastern elevation shall be finished in obscured glazing (the use of film is not permitted) and opening sections shall be restricted to top-hung pivot.
- (c) The rear attic window shall be replaced with velux roof lights.

Reason: In the interest of residential amenity.

4. 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.

5. (a) The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including details of parking for construction traffic, noise management measures and off-site disposal of construction/demolition waste.

- (b) Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between 0900 and 1400 hours on Saturdays and not at all on Sundays and 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 the interests of public safety and residential amenity.

- 6. Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority a revised layout plan reflecting a modified vehicle entrance in accordance with the following:
 - (a) The vehicle entrance gate width shall be no wider than three metres.
 - (b) Gates/doors shall be recessed and/or be incapable of opening outwards, 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.
 - (c) Surface water from the site shall not run across public footpath (or road).

Reason: In the interest of traffic safety.

- 7. 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 the Board 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 2018.