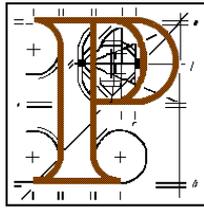


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Cork County Council**

**Planning Register Reference Number: 17/04948**

An Bord Pleanála Reference Number: ABP-300193-17

**Appeal** by Inniscarra View Residents Association of 34 Whitethorn Avenue, Inniscarra View, Ballincollig, County Cork against the decision made on the 1<sup>st</sup> day of November, 2017 by Cork County Council to grant subject to conditions a permission to Patricia Daly care of Diarmuid Twomey of Annagloor, Millstreet, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a new dwelling house, associated new driveway and parking spaces, connect to existing services and all other associated site works on a subdivision of number 15 Woodbine Lawn, all at number 15 Woodbine Lawn, Inniscarra View, Ballincollig, 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 residential zoning for the site of the proposed development, the pattern of development in the area, and the design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 9<sup>th</sup> day of October 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. The site layout map, the extent of the rear garden of the proposed dwelling and of the adjoining existing dwelling, and all boundary wall details shall be as shown on the site layout map submitted to the planning authority on the 9<sup>th</sup> day of October, 2017.

**Reason:** To ensure adequate provision of private open space for both dwellings, in the interest of residential amenity.

3. The entrance, driveway and parking shall be as indicated on the site layout submitted to the planning authority on the 9<sup>th</sup> day of October, 2017. Car parking shall be provided for two cars in the parking area, and the gates to this parking area shall be so designed as to be incapable of opening outwards.

**Reason:** In the interest of pedestrian and traffic safety.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 to those Regulations shall take place without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the proposed dwelling.

5. Notwithstanding the exempted development provisions under Class 5 or Class 9 of Schedule 2, Part 1 to the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no vehicular access shall be created onto the Woodbine Lawn frontage of the subject site.

**Reason:** In the interest of pedestrian and traffic safety.

6. Water supply and 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. Prior to the commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority. Roof colour shall be blue black or slate grey only (including ridge tiles).

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

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development

**Reason:** In the interests of visual and residential amenity.

9. 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 access arrangements and of construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

10. 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.

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

**Dated this                      day of                      2018.**