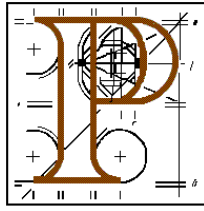


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Cork County

Planning Register Reference Number: 17/07100

An Bord Pleanála Reference Number: ABP-300971-18

APPEAL by Niamh Dalton of 17 Delford Drive, Monsfieldtown, Rochestown Road, County Cork against the decision made on the 25th day of January, 2018 by Cork County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: Construction of a two-storey detached dwelling, plus off-street parking and new entrance to existing dwelling and associated site works at 17 Delford Drive, Monsfieldtown, Rochestown Road, County Cork.

DECISION

GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said Council and based on the reasons and considerations 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 Cork County Development Plan 2014 – 2020, to the Ballingcollig-Carrigaline Municipal District Local Area Plan 2017 and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate in land use terms, would afford an adequate standard of amenity to future residents, and would be compatible with the visual and residential amenities of the area. The proposed development would be capable of being satisfactorily accessed and serviced and no Appropriate Assessment issues would arise. 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 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 be amended as follows:
 - (a) The proposed study shall be sub-divided and its floorspace shall be re-apportioned to supplement the adjoining double bedroom so that it has a minimum of 11.4 square metres of floorspace. The remaining floorspace shall be re-designated as a store.
 - (b) The existing drive-in, its extension, and the proposed new car parking area in the existing front garden shall all be formed of permeable paving.
 - (c) Details of the proposed soakaway and on-site surface water drainage arrangements shall be submitted to the planning authority.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to afford a satisfactory standard of amenity to future residents and in the interest of good water management.

3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
 - (a) A plan identifying and showing –
 - (i) Existing trees and shrubs adjacent to the eastern boundary of the site and measures to ensure their retention in situ during the construction phase.

- (ii) Proposed additional trees and shrubs for planting adjacent to the eastern boundary of the site and shrubs for the soft landscaped areas to the front of the existing and proposed dwelling houses on the site.

- (b) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

- 4. Prior to commencement of development, planning permission shall be obtained for a pedestrian gate in the southern boundary wall to the proposed rear garden.

Reason: To ensure that the rear garden is capable of being satisfactorily accessed.

- 5. 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.

6. 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.

7. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwellinghouse without a prior grant of planning permission.

Reason: In the interest of residential amenity.

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 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 order to safeguard the residential amenities of property in the vicinity.

