



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 17/07378

Appeal by Maurice and Winifred Thornhill of Moncrief, Ballincrossig, Glanmire, County Cork against the decision made on the 13th day of September, 2018 by Cork County Council to grant subject to conditions a permission to Pramukh Gogineni care of CEA Architects of 15 Mill Road, Middleton, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of two number dwellinghouses, connection to existing shared site entrance and all associated site works at Poulacurry North, Glanmire, 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 planning history of the site and to the nature, scale and pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the adjoining properties 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, and considered that, given the location of the proposed development within a residential area, the form of the proposed development and the topography of the site that the proposed development would not seriously injure the amenities of the neighbouring properties by way of overlooking and overbearing.

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 17th day of August, 2018, 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 dwellings 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. The stone finish of the retaining wall to the west and north of the development shall be of natural stone indigenous to the vicinity of the site. Details of the type of stone to be used shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The boundary wall between the proposed units shall be finished in a smooth render and capped.

Reason: In the interest of visual amenity.

4. 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 to a scale of not less than 1:500 showing –
 - (i) the planting of the northern site boundary with semi mature trees, the variety and location of which are to be specified,
 - (ii) details of screen planning,
 - (iii) details of street planting, and
 - (iv) hard landscaping works, specifying surfacing materials, furniture and finished levels.
 - (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
 - (c) 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 visual amenity.

5. 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.

6. Site development and building works shall be carried out between 0700 hours and 1800 Mondays to Fridays inclusive, between 0800 hours 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 order to safeguard the residential amenities of property in the vicinity.

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 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.

Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.