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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/05886**

**Appeal** by Pierce Comerford of 46 Grange Erin, Grange, Douglas, County Cork and by Others against the decision made on the 17<sup>th</sup> day of June, 2019 by Cork County Council to grant subject to conditions a permission to O'Connor Brothers of Cork Limited, care of Andrew O'Brien Architects of Oldtown, Rostellan, Middleton, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (1) Demolition of existing single-storey detached building, formerly part off-licence unit and part dwelling, (2) construction of new part two-storey part three-storey detached residential building including nine residential units made up of one number one-bedroom unit, three number two-bedroom units and five number three-bedroom duplex units, (3) new site entrance at Grange Erin Road to a ground level carpark with 15 carparking spaces, (4) all associated site works, drainage works and associated landscaping at the Former Grange Stores, Grange Road, Grange, 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 Cork County Development Plan 2014, the Ballincollig Carrigaline Municipal District Local Area Plan 2017, the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in May 2009, the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, the Urban Development and Building Heights, Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in March, 2018 and December 2018 respectively, and the Design Manual for Urban Roads and Streets issued by the Government of Ireland in May, 2019, it is considered that, subject to compliance with the conditions set out below, the proposed development would be appropriate in terms of land use, density and height. The proposed development would not seriously injure the visual and

residential amenities of the area, and the residential amenity of future residents, and would be acceptable in terms of traffic safety and convenience. 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, as amended by the further plans and particulars submitted on the 7<sup>th</sup> day of February 2019 and the 21<sup>st</sup> day of May 2019, 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 siting, size, layout and design of the proposed bin store shall be revised, as appropriate, to be demonstrably appropriate to the size of the proposed development.
  - (b) The number of cycle parking spaces shall be increased to 29 and all the spaces shall be covered.

- (c) One motor cycle parking space shall be provided.
- (d) All of the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (e) The front garden walls to Grange Road shall be no more than one metre in height.

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 the interest of residential amenity, in order to promote sustainable modes of transport, and in the interest of road safety.

- 3. Details of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual 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. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

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

6. The access road and car park serving the proposed development shall comply with the detailed standards of the planning authority for such road works.

**Reason:** In the interests of amenity and traffic safety.

7. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any dwelling.

**Reason:** In the interests of amenity and public safety.

8. Proposals for a name, dwelling number scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs and dwelling numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

**Reason:** In the interest of urban legibility.

9. 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.

10. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of the access road, car park and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

11. 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 commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures, management of construction traffic and management of construction/demolition waste.

**Reason:** In the interests of residential amenity, public safety and sustainable waste management.

12. The landscaping scheme shown on Drawing Number 4000, revision 3, as submitted to the planning authority on the 21<sup>st</sup> day of May, 2019, shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme, the following shall be carried out:

A mix of evergreen shrub planting along the western and northern boundaries to the site to correspond with the exposed palisade fence and concrete wall.

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.

13. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required about the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to the An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion of the development.

14. 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.

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

**Dated this                      day of                      2019**