



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/05349

Appeal by Gerard Allen of 23 Carriganarra, Ballincollig, County Cork and by Tom Bruton of 1 Carriganarra Estate, Ballincollig, County Cork against the decision made on the 17th day of July, 2019 by Cork County Council to grant subject to conditions a permission to John O'Donovan of Castle View House, Carriganarra Road, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission for the removal of existing eastern boundary of existing dwelling comprising part hedgerow and part masonry wall and construction of new masonry wall with concrete capping together with all associated site ancillary works, all at Castle View House, Carriganarra Road, 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 form and layout of the proposed development and to the separation distance between the proposed wall and neighbouring dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed boundary wall would not seriously injure the residential amenities of adjoining properties 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, 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 boundary wall shall not exceed two metres in height along the full length of the eastern boundary of the site. Details of the layout, form, materials, textures and associated capping shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

3. The developer shall employ a suitably qualified Structural Engineer to assess and monitor all site development works at the construction phase. A report containing the results of the assessment and detailing the proposed construction methodologies shall be submitted to, and agreed in writing with, the planning authority prior to commencement of construction works.

Reason: To protect the amenities of residential property in the vicinity.

4. 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.

Terry Ó Niadh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.