



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council.

Planning Register Reference Number: 19/00443

Application for Leave to Appeal against the decision of the planning authority by Sam Flynn of Caherdaniel, Bantry, County Cork, having an interest in land adjoining the land in respect of which Cork County Council decided on the 24th day of October, 2019 to grant subject to conditions permission to Kieran O'Sullivan Construction Limited care of DMCA Consultants Limited of 8 Marino Street, Bantry, County Cork.

Proposed Development: Permission for the following works to the curtilage of three number existing dwellinghouses: (i) relocation of roadside boundary walls and three number vehicular entrances, (ii) widening of adjacent public road to 5.5 metres, (iii) installation of 1.5 metres wide public footpath and 300 millimetres wide verge and (iv) all associated works at Caherdaniel West, Bantry, County Cork.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority to which the grant is subject, and

- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2019.