

An
Bord
Pleanála

Board Order
ABP-309179-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/04452

APPEAL by Pat Murphy of Dunmaus, Upper Kilmoney Road, Carragaline, County Cork against the decision made on the 7th day of December, 2020 by Cork County Council to grant subject to conditions a permission to Paul Harrington care of D.L. Group Consulting Engineers of 1 Hodder Villas, Ballincollig, County Cork.

Proposed Development: Construction of two number storey and a half style dwellinghouses at Kilmoney, Carrigaline, County Cork. Further public notices were received by the planning authority on the 13th day of November, 2020.

Decision

REFUSE permission for the above proposed development in accordance with 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.

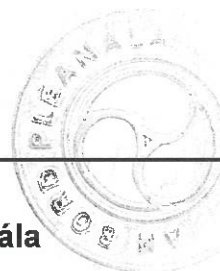
Reasons and Considerations

On the basis of the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the proposed development, by reason of raising the ground level at the boundary to the property on the north west of the site to 1.5 metres boundary and to 2.27 metres at the boundary to the properties to the south west, would not have an unacceptable and detrimental effect on adjacent property in the vicinity. The Board considered that the changes in level proposed have not been justified in this built up urban area, and that insufficient information has been provided regarding the effect on the boundaries with adjacent properties, where it would appear the ground level proposed may be above that of the boundary wall of the properties to the south west. The proposed development would seriously injure the residential amenity of property in the vicinity and would, therefore, not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered, on the basis of the submissions on the file, that the proposed development would have negative impact on the residential amenities of the area by reason of excessive raising of the ground levels at the boundaries of the site with the adjacent properties.



Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 29th day of April 2021