

An
Bord
Pleanála

Board Order
ABP-309452-21

Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 20/06093

Appeal by Brian and Anne Twomey of Kismet, Corbally North, Glanmire, County Cork against the decision made on the 25th day of January, 2021 by Cork County Council to grant subject to conditions a permission to Padraig O'Connor care of Gary O'Farrell Architects of 94 Fernwood, Ballinglanna, Glanmire, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: The demolition of an existing single storey dwelling with car porch, the construction of new two storey replacement dwelling, a separate single storey garage with home office, the removal of the existing septic tank, and the installation of new septic tank with percolating area, along with all associated ancillary site works located at the existing site at Corbally 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 nature of the site, incorporating an existing dwelling and associated grounds and to the location of the site within an existing cluster of houses, to the design and form of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would generally be in accordance with the Cork County Development Plan 2014, would not seriously injure the visual or residential amenities of the area or of the property in the vicinity, would not be prejudicial to public and environmental health and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further information submitted on the 22nd day of December 2020, 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. Prior to the commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for written agreement.

Reason: In the interest of orderly development and in the interest of visual amenity.

3. The site shall be landscaped in accordance with the Proposed Landscape Plan, submitted to the planning authority on the 22nd day of December, 2020.

Reason: In the interests of visual and residential amenity.

4. The windows on the northern elevation shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

5. The proposed garage and home office shall be used solely for purposes incidental to the enjoyment of the main dwelling house and shall not be used for any other purpose or form human habitation.

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

6. Prior to commencement of development, the developer shall enter into a water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

7. Water supply and drainage arrangements, including 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 and to ensure a proper standard of development.

8. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard ducting shall be provided to facilitate the provision of broadband infrastructure within the development.

Reason: In the interests of orderly development and the visual amenities of the area.

9. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall be prepared in accordance with "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006.

Reason: In the interest of sustainable waste management.

10. 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 amenities of property in the vicinity.

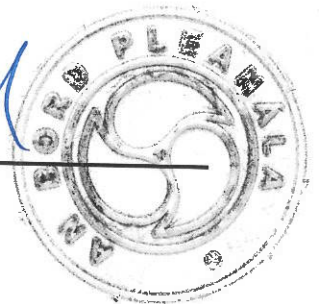
11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms 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 the 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 Contributions Scheme made under section 48 if the Act be applied to the permission.



Dave Walsh

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



Dated this 22nd day of December 2021.