

An
Bord
Pleanála

Board Order
ABP-309996-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/06403

Appeal by Donnchadh Keane of Jalna, Whitepoint, Cobh, County Cork and by John Reilly of The Cottage, Whitepoint, Cobh, County Cork against the decision made on the 26th day of March, 2021 by Cork County Council to grant subject to conditions a permission to Peter Brennan and Caroline McCarthy care of Paul O'Neill Designs of "Saint Helen's", Douglas Road, Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of (a) two-storey dwellinghouse, with associated site services, new entrance and road boundary wall and (b) new entrance to adjoining dwelling known as "The Moorings" at "The Moorings", Whitepoint, Ringmeen, Cobh, 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 planning history of the site, to the established residential nature of the area, the zoning provisions for the site as set out in the current Cobh Town Development Plan, and to the design, character and layout of the development proposed, it is considered that, subject to compliance with the conditions set out below, the proposed dwelling would not adversely impact on the residential amenities of adjoining properties, would be acceptable in terms of visual impact and traffic safety, and would otherwise be in accordance with the provisions of the current Cobh Town Development Plan. 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 26th day of January 2021 and the 1st day of March, 2021, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The developer shall employ a suitably qualified Structural Engineer to undertake a pre-development assessment of the impact of the proposed development on the boundary wall along the southern boundary of the site and to monitor the impact of site development works on this wall at construction phase. A report containing the results of the assessment and detailing the proposed construction methodologies shall be submitted to the planning authority for written agreement prior to commencement of construction works.

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

4. The applicant or developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development. The proposed house shall not be occupied until it is served by the public sewerage system.

Reason: In the interest of public health and orderly development.

5. 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.

6. 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.

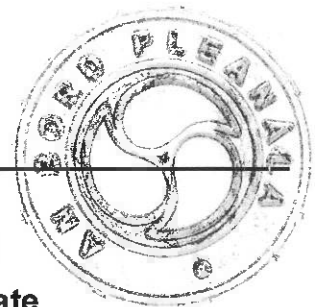
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

7. The developer shall pay to the planning authority a financial contribution in respect of the Cobh/Middleton – Blarney Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.


Terry Ó Niadh

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



Dated this 6th day of December, 2021