



An  
Bord  
Pleanála

Board Order  
ABP-310650-21

---

## Planning and Development Acts 2000 to 2020

**Planning Authority:** Cork City Council

**Planning Register Reference Number:** 21/40059

**Appeal** by Jim O'Regan care of Dennehy Architects of 7 Rockgrove Industrial Estate, Little Island, County Cork against the decision made on the 31<sup>st</sup> day of May, 2021 by Cork City Council to refuse permission for the proposed development.

**Proposed Development:** Construction of two number semi-detached, two-storey, dwellinghouses (to replace one number detached dwellinghouse permitted under register reference number 19/39009 ABP-307183-20 within a revised site boundary) and all associated works at Main Street, Carrigrohane, Ballincollig, 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 Cork County Development Plan 2014, the Ballincollig Carrigaline Municipal District Local Area Plan 2017 and the pattern of development in the area, it is considered that, the proposed development, subject to compliance with the conditions set out below, would be appropriate from a land use perspective, would be capable of being accommodated within the existing streetscape, would not seriously injure the residential amenities of the area 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. Details of the materials, colours, and textures of all the external finishes to the proposed dwellings 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. (a) Screen walls shall be provided along the western flank boundary and the rear boundary of the site. Such walls shall be two metres in height above ground level.  
  
(b) Details of the layout, the materials, and external finishes of the screen walls shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of construction of the dwellings.

**Reason:** In the interests of residential and visual amenity.

4. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwelling houses without a prior grant of planning permission.

**Reason:** In the interest of residential amenity.

5. The entrance to the site shall remain ungated for as long as the dwelling houses are in-situ.

**Reason:** In order to avoid the need for vehicles to stand upon the adjoining regional road.

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

**Reason:** In the interest of public health.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures, control of surface water, and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

8. Site development and building works shall be carried out only between the hours of 0700 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 residential amenities of property in the vicinity.

9. 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.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board

Dated this 15<sup>th</sup> day of November 2021

