

Planning and Development Acts 2000 to 2020

Planning Authority: Cork City Council

Planning Register Reference Number: T.P. 20/39620

Appeal by Lúile Ní Croidheagáin and Deb Ní Croidheagáin of 3 Aspen Drive, Mount Woods, Douglas, County Cork against the decision made on the 14th day of June, 2021 by Cork City Council to grant subject to conditions a permission to Edward and Helen Cregan care of Vivian Garde and Associates of Neptune House, Victoria Road, Ballintemple, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of changes to permitted alterations and extensions to include basement (planning register reference number 01/573 - Cork County Council) to existing bungalow at Ard-na-Gaoithe, Spur Hill, 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 and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposed retention of changes to the proposed alterations and extensions permitted under planning register reference number 01/523 would be acceptable from a land use perspective. These changes would be compatible with the visual and residential amenities of the area. The proposed development for retention, would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 20th day of May, 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 retained and completed in accordance with the agreed particulars.

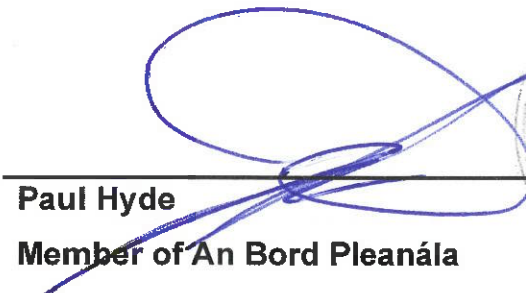
Reason: In the interest of clarity.

2. Within 12 weeks from the date of this Order, the applicants shall submit a scheme for the management and future maintenance of the wastewater treatment system on the site to the planning authority for its written agreement.

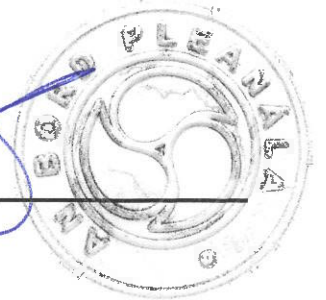
Reason: In the interest of public health.

3. Within 12 weeks of the date of this Order, the developer shall pay to the planning authority a financial contribution of €3,311 (three thousand three hundred and eleven euro) 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 to the planning authority and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition 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.

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.



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



Dated this *9th* day of *NOVEMBER* 2021