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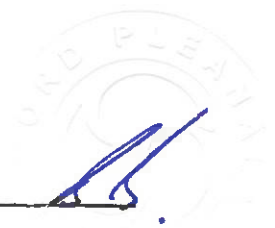
**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/05154**

**Appeal** by Derek and Louise Cummins care of John McCarthy of 16 Mary Street, Cork and by the Concerned Residents of Carrigaline care of John McCarthy of 16 Mary Street, Cork against the decision made on the 22<sup>nd</sup> day of June, 2021 by Cork County Council to grant subject to conditions a permission to Darcor Developments Limited care of Brian O’Kennedy and Associates Limited of Shannon House, Church Road, Douglas, Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for the construction two number two-storey dwellings attached to existing two-storey dwelling, along with alterations to the existing dwelling to facilitate the proposed development, namely; demolition of existing conservatory and boiler housing, and associated site development works. The application also includes permission for retention of existing unauthorized garage and swimming pool and for demolition of same at ‘Elrijah’, Church Road, Carrigaline Middle, Carrigaline, County Cork.



## **Decision**

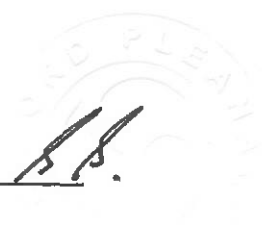
**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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 established residential property, its extensive site area, and to the design, character and layout of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not adversely impact on the residential amenities of adjoining properties or adversely affect the visual amenity of the area, would be acceptable in terms of traffic safety and convenience and would be in accordance with the provisions of the Ballincollig Carrigaline Municipal District Local Area Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

A handwritten signature in black ink is written over a circular official stamp. The stamp contains the text 'AN BORD PLEANÁLA' around its perimeter. The signature is a stylized, cursive 'S.B.'.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and with the further information received by the planning authority on the 20<sup>th</sup> 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 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 houses 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the houses, without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwellings.



4. 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.



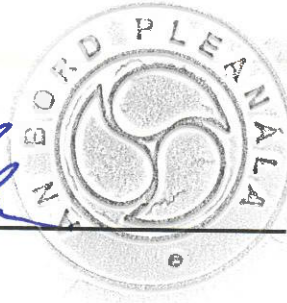
5. The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development.

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

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.

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

Dated this <sup>5<sup>th</sup></sup> day of *November* 2021.