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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/07343**

**APPEAL** by Kevin and Elizabeth O'Grady care of John MacCarthy and Partners of 16 Mary Street, Cork against the decision made on the 16<sup>th</sup> day of February, 2022 by Cork County Council to grant subject to conditions a permission to David and Nicole O'Neill care of Martin G. Jennings and Associates of Kalimar, The Estuary, Carrigaline, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of existing single storey derelict house and construction of two-storey dwellinghouse and associated site works at 6 Old Post Office Road, Loughbeg, Ringaskiddy, County Cork.

**Decision**

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

## Reasons and Considerations

Having regard to the established pattern of development in the vicinity of the site, and its location within a town centre, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of adjoining property and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the objectives of the Cork County Development Plan 2022-2028 in relation to Ringaskiddy, the town centre zoning status of the site, as well as compliance with objectives and policies relating to infill development.

## Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.



2. (a) The roof covering shall be slate or flat tile coloured dark grey or black and shall be agreed with the planning authority prior to commencement of development.
- (b) All the external walls of the proposed development shall be finished in smooth plaster or natural stone of a type indigenous to the local area.

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

3. The first-floor window on the southern elevation shall have frosted/obscured glass only.

**Reason:** In the interest of residential and to prevent overlooking of the adjoining site.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Surface water shall be disposed of within the site by means of soakaways and shall not be allowed to flow onto the public road.

**Reason:** In the interest of public health and to prevent flooding of the public road.

5. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann (formerly Irish Water).

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



6. Vegetation or any structure shall not exceed one metre in height within the sight distance triangle.


**Reason:** To provide proper sight distance for emerging traffic in the interest of road safety.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

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

8. The construction of the proposed 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 all intended construction practice for the proposed development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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



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.



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**Joe Boland**

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

Dated this 20<sup>TH</sup> day of June 2023.

