

An
Bord
Pleanála

Board Order
ABP-313523-22

Planning and Development Acts 2000 to 2021

Planning Authority: Cork City Council

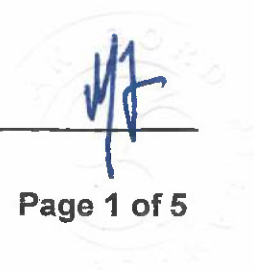
Planning Register Reference Number: T.P. 21/40610

Appeal by Ross Dumigan of 1 Carriglen, Ballincollie, Dublin Pike, County Cork against the decision made on the 12th day of April, 2022 by Cork City Council to grant subject to conditions a permission to Eoghan Hanifan care of Patrick A. Galvin Planning and Design of Upper Belmont, Innishannon, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of dwelling house, sewerage treatment system, vehicular entrance and all associated site works at Carrig Court, Ballincolly, Dublin Pike, 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.



Reasons and Considerations

Having regard to the residential land use zoning of the site, the nature and scale of the proposed development, the pattern of development in the area, and the provisions of the Cork City Development Plan 2022-2028 including Section 11.139 (Infill Development), it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity in terms of overlooking, overbearing or overshadowing impacts and would not endanger public safety by reason of traffic hazard. 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, 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. The proposed windows at first floor level on the eastern and western elevations shall be permanently glazed with obscured glass.

Reason: In the interest of residential amenity.

3. Prior to the commencement of development, details of the materials, colours and textures of all external finishes, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of orderly development and the visual amenities of the area.

4. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

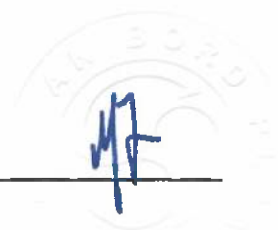
Reason: In the interest of public health.

5. The developer shall enter into water connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: In the interest of orderly development.

6. 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 tree protection measures, noise management measures and off-site disposal of construction/demolition waste.

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

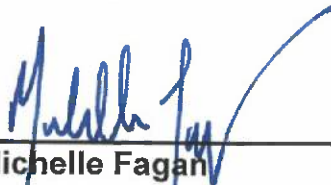


7. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

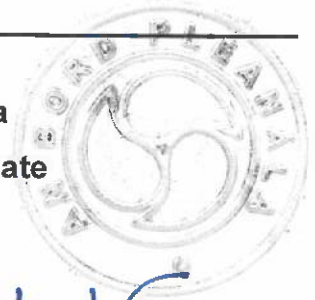
8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 12th day of September 2022.