



An
Bord
Pleanála

Board Order ABP-315004-22

Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 22/05511

Appeal by Val and Letitia Griffin of Hilltop, 10 Beechcourt, Passage West, County Cork against the decision made on the 11th day of October, 2022 by Cork County Council to grant subject to conditions a permission to Hilda and Tim McCormack care of Loic Dehaye Architects Limited of Unit 4, East Park House, Marina Commercial Park, Centre Park Road, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of a new dwellinghouse and all associated site works at 8 Cill Mhuire, Church Hill, Pembroke, Passage West, 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.

Reasons and Considerations

Having regard to the nature and extent of the proposed development, to the planning history of the proposed development site and to the pattern of existing and emerging development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of adjoining properties and would be in accordance with the zoning objective (ZU 18-9) of the Cork County Development Plan, 2022-2028 which generally requires that the scale of new residential and mixed residential developments within the Existing Residential/Mixed Residential and Other Uses within the settlement network should normally respect the pattern and grain of existing urban development in the surrounding area. 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 submitted to the planning authority on the 26th day of September 2022, 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. (a) Apart from the permission hereby granted, the proposed development shall comply with the terms and conditions of the permission granted under An Bord Pleanála reference number PL 04.242980 which governs the overall development of the lands of which the site forms part, except as amended in order to comply with the conditions attached herein.
- (b) The finished floor level of the dwelling permitted herein shall be in accordance with the plans and particulars submitted to the planning authority on the 28th day of June, 2022, and as amended on the 26th day of September, 2022, i.e., the finished floor level of the dwelling shall not exceed 61.6 metres.
- (c) The overall height of the dwelling permitted herein shall not exceed 6.63 metres, in accordance with the plans and particulars submitted to the planning authority on the 28th day of June, 2022, and as amended on the 26th day of September, 2022.

Reason: In the interests of clarity and of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof covering shall be slate or flat tile and the colour shall be dark grey or black only.

Reason: In the interest of visual amenity.

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4. Drainage arrangements, including the attenuation and 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. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 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.

7. The rear (eastern) boundary of the site shall comprise a 1.8 metres post and panel fence construction and shall be so designed to protect roots of existing tree along this boundary, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to screen the development, in the interest of visual amenity.

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.



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 11 day of December 2023