

An  
Bord  
Pleanála

## Board Order ABP-315482-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork City Council**

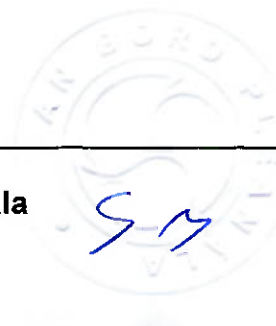
**Planning Register Reference Number: 22/41465**

**Appeal** by Edith and Finbarr Allen care of Coakley O'Neill Town Planning of NSC Campus, Mahon, Cork against the decision made on the 1<sup>st</sup> day of December, 2022 by Cork City Council to refuse permission.

**Proposed Development:** Demolition of existing garage and the construction of new detached single storey dwelling along with associated site and development works, all to the rear of Melrose, Victoria Road, Cork.

### **Decision**

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**



## Reasons and Considerations

Having regard to the residential zoning of the site, the pattern of development in the Architectural Conservation Area, and the design and layout of the proposed development, 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 property in the vicinity, would be acceptable in terms of architectural heritage, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out 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. Details of the materials, colours and textures of all the external finishes to the proposed development 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. 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.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

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

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

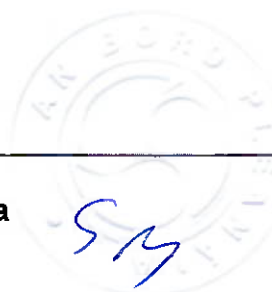
**Reason:** In the interest of visual and residential amenity.

6. 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 intended access arrangements and of 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 amenities and public safety.

7. All new in curtilage car parking spaces shall be provided with ducting to enable the installation of EV charging points.

**Reason:** To provide for and/or future proof the proposed development such as would facilitate the use of electric vehicles.



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 the 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.

  
Stephen Brophy

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



Dated this 9<sup>th</sup> day of February 2024.