



An
Bord
Pleanála

Board Order
ABP-318874-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 23629

Appeal by John and Anne Bell care of Noel P. Browne of Windmill Lane, Skibbereen, County Cork against the decision made on the 19th day of December, 2023 by Cork County Council to grant, subject to conditions, a permission to Angharad McEwan care of Sharon Walsh Consultant Engineer of Market Street, Skibbereen, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a dwellinghouse and domestic garage, at The Hill, Baltimore, 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 location of the site which is an infill site, the pattern of existing and permitted development in the vicinity, the provisions of the Cork County Development Plan 2022-2028 and the site's location within the development boundary of the village of Baltimore, it is considered that the proposed development would be in accordance with the stated provisions of the current development plan. It is also considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact the character of the area or seriously injure the visual or residential amenities of the 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 received by the planning authority 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed entrance to the site shall be located at the point on the roadside frontage indicated in the details submitted to the planning authority with the application. Any removal of the roadside boundary to facilitate the provision of sightlines shall be reconstructed behind the

sightline visibility line and shall consist of native species hedgerows, details of which are to be submitted to, and agreed in writing, with the planning authority prior to the commencement of any development works on the site.

Reason: In the interest of traffic safety and visual amenity.

3. External finishes to the proposed development shall be in accordance with the details received by the planning authority with the application.

Reason: In the interest of visual amenity.

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. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

6. The site shall be landscaped, using only indigenous deciduous trees and hedging species. Details in this regard, including a timescale for implementation, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

7. The use of the domestic garage shall be for private domestic use only, solely incidental to the enjoyment of the dwellinghouse, and not used for any commercial or trade purposes or for human habitation.

Reason: In the interest of clarity.

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

Reason: In the interests of visual and residential amenity.

9. Site development and building works shall be carried out only between the hours of 0700 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 amenities of property in the vicinity.

10. 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 noise management measures and off-site disposal of construction/demolition waste.

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

11. 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.

Eamonn James Kelly

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Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *9th* day of *July*, 2024.