



An
Bord
Pleanála

Board Order
ABP-320500-24

Planning and Development Acts 2000 to 2022

Planning Authority: West Cork County Council

Planning Register Reference Number: 24193

Appeal by Lynda and Mike O'Donoghue of Greystones, Dromleigh North, Bantry, County Cork against the decision made on the 16th day of July, 2024 by Cork County Council to grant permission subject to conditions, to Caislean Properties Limited care of DMCA Consultants Limited of Vickerys, New Street, Bantry, County Cork for the proposed development.

Proposed Development: Construction of two number semi-detached dwelling houses and all associated site works at Seafeld, Bantry, County Cork. The propose development was revised by further public notices received by the planning authority on the 28th day of June 2024.

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 design, scale and layout of the proposed development, its relationship to surrounding properties, the residential land-use objective for the area, the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), the pattern of development in the area and planning history of the site, it is considered that, subject to compliance with conditions set out below, the proposed development would not constitute overdevelopment or seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 on the 13th day of June 2024, 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 scheme indicating precise details of all boundary treatments including boundary walls to be renewed on the east and southwest of the site, proposed post and panel fencing along the west and north and any proposed boundary planting and landscaping shall be submitted to and agreed in writing with the planning authority prior to the commencement of development on site.

Reason: In the interest of residential amenity.

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

Reason: In the interest of visual amenity.

4. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

5. The junction details which shall provide 50 metre sightlines in both directions and internal access road serving the proposed development, including turning bay, parking area, footpaths and kerbs shall comply with the requirements of the planning authority and in all respect with the standards set out in the Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of pedestrian and traffic safety.



6. 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.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. All existing over ground cables shall be relocated underground as part of the site development works.

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 intended construction practice for the proposed development, including traffic management, noise management and off-site disposal of construction/ excavation /demolition waste.

Reason: In the interest to public safety 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 0900 to 1300 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.

10. 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.



Emer Maughan

Member of An Bord Pleanála

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

Dated this 28th day of March 2025.