

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork County

Planning Register Reference Number:16/4331

An Bord Pleanála Reference Number: 04.LV.3330

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by Kieran and Sarah Murphy and others care of 6 The Mews, Castlerock, Midleton, County Cork, having an interest in land adjoining the land in respect of which Cork County Council decided on the 8th day of February, 2017 to grant subject to conditions permission to Denis Crowley care of Boyd Barrett Murphy O'Connor Architects of 4 Wellesley Terrace, Wellington Road, Cork.

PROPOSED DEVELOPMENT: Development consisting a residential housing scheme of 25 houses in total including nine detached houses and 16 semi-detached houses and associated site development works, all at Baneshane, Midleton, County Cork.

DECISION

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of conditions numbered 1 and 24 imposed by the planning authority to which the grant is subject (these conditions require implementation of revised particulars of interconnectivity with adjacent land that were not subject to new public notices), and

- (ii) the imposition of conditions numbered 1 and 24 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2017.