

**CORK COUNTY COUNCIL**  
**PLANNING & DEVELOPMENT ACTS 2000 - 2010**  
**NOTIFICATION OF DECISION TO GRANT Permission**

Reference No. in Planning Register 17/04948

Patricia Daly  
C/O Diarmuid Twomey  
Annagloor  
Millstreet  
Co. Cork



In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated 01/11/2017 decided to **GRANT Permission** for the development of land namely:

Construct a dwellinghouse, associated driveway and parking spaces, connect to existing services and all other associated site works on a subdivision of No.15 Woodbine Lawn

At: No. 15 Woodbine Lawn, Inniscarra View, Carrigrohane, Ballincollig Co. Cork

In accordance with the plans and particulars submitted by the applicant

On: 19/04/2017, as amended on 09/10/2017

And subject to the conditions (13no.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of FOUR WEEKS beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED)

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála. It should be noted that until a grant of Permission has been issued the development in question is **NOT AUTHORISED**.

Signed on behalf of the said Council

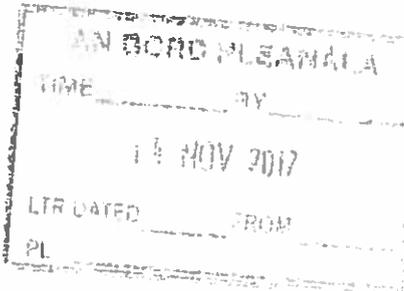
Peter Varian  
Senior Staff Officer  
Date: 02/11/2017

**SEE NOTES ATTACHED**

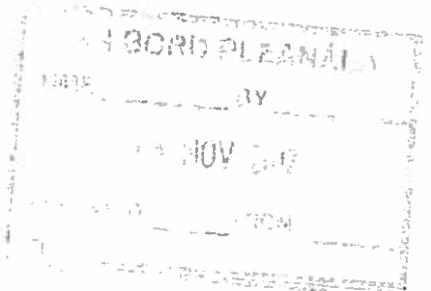
Please note that pursuant to S.34(3) of the Act, the Planning Authority has had regard to submissions or observations received in accordance with these Regulations.

In accordance with Article 20, site notice shall be removed on receipt of this notification.



No.	Condition	Reason
1	The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the documents/drawings received by the Planning Authority on the 09/10/2017 and 26/10/2017.	In the interests of clarity.
2	The red line development boundary is as per site layout plan submitted on 26/10/2017.	In the interests of orderly development.
3	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of €1575.69 to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 01/01/2017, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.	It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.
4	A 2m high concrete wall which shall be plastered on both sides, painted and capped shall be constructed along the western, northern and eastern boundary of the proposed rear garden. Prior to the commencement of development or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, revised drawings, at a scale of 1:250 making provision for the above requirements shall be submitted to and agreed in writing with the Planning Authority.	To protect private amenity space of adjoining properties and in the interests of orderly development. 
5	Roof covering shall be slate or flat tile coloured dark grey or black to the satisfaction of the Planning Authority.	In the interests of visual amenity.
6	All external walls of proposed structure shall be finished as per drawings submitted on 09/10/2017.	In the interests of visual amenity.
7	Prior to the commencement of development the developer shall enter into a connection agreement with Irish Water in relation to the development.	In the interests of orderly development.
8	The proposed entrance and driveway shall be constructed as per site layout plan submitted on 09/10/2017. Notwithstanding the	In the interests of traffic safety and orderly development.



	<p>exempted development provisions as outlined in Classes 5 and 9 of the Planning and Development Regulations 2001-2015 as amended, there shall be no vehicular or pedestrian access points from the Woodbine Lawn which lies to the south and southeast of the site.</p>	
9	<p>All road openings in existing roads or footpath shall be reinstated to the satisfaction of the Local Authority i.e. in accordance with the Guidelines for Managing Openings in Public Roads ('Purple Book').</p>	<p>In the interests of orderly development.</p>
10	 <p>A minimum of 2no. parking spaces (2.5m x 5m) shall be provided and maintained within the curtilage.</p>	<p>In the interests of orderly development.</p>
11	<p>All surface water run-off from impermeable surfaces such as roofs, patios, driveways, entrances and parking areas shall be collected and disposed of to a soakaway within the site, designed in accordance with BRE Digest 365 and to the satisfaction of the Planning Authority. Surface water run-off from the site shall not be allowed to flow onto the public roadway, adjoining properties or to the public foul sewer.</p>	<p>To prevent flooding.</p>
12	<p>As this is a sub-division of No.15 Woodbine Lawn, all surface water run-off from impermeable surfaces such as roofs, patios, driveways, entrances and parking areas of No.15 shall be collected and disposed of to a soakaway (existing or newly constructed) within the curtilage of No.15, designed in accordance with BRE Digest 365 and to the satisfaction of the Planning Authority. Surface water run-off from the site shall not be allowed to flow onto the public roadway, adjoining properties or to the public foul sewer.</p>	<p>In the interests of orderly development.</p> 
13	<p>Development described in Classes 1,3 and 5 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001-2015 as amended shall not be carried out within the curtilage of the proposed dwellinghouse without a prior grant of planning permission.</p>	<p>In the interest of residential amenity.</p>



Our Ref: ABP-300193-17

PA Reg Ref: 174948

Your Ref: Patricia Daly



An  
Bord  
Pleanála

Diarmuid Twomey,  
Annagloor,  
Millstreet,  
Co. Cork.

12 MAR 2018

**Re: Construct a dwellinghouse, associated driveway and parking spaces, connect to existing services and all other associated site works on a subdivision of No. 15 Woodbine Lawn, No. 15 Woodbine Lawn, Inniscarra View, Carrigrohane, Ballincollig, Co. Cork.**

Dear Sir/Madam,

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Planning and Development Acts 2000 to 2017. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

In cases where a grant of (full) planning permission is notified by the Board, it is policy to include a copy of the Department of the Environment and Local Government's Leaflet PL11 - Guide to the Building Control System and a copy of the Health and Safety Authority's leaflet Safety and Health on Construction Projects - The Role of Clients with the notification. These leaflets are issued at the request of the above bodies.

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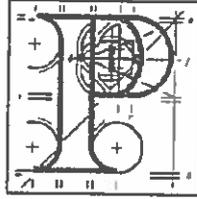
A further enclosure contains information in relation to challenges by way of judicial review to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

Yours faithfully,

  
Rita Donnelly  
Executive Officer

Encls.  
BP100LN

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Cork County Council

Planning Register Reference Number: 17/04948

An Bord Pleanála Reference Number: ABP-300193-17

**Appeal** by Inniscarra View Residents Association of 34 Whitethorn Avenue, Inniscarra View, Ballincollig, County Cork against the decision made on the 1<sup>st</sup> day of November, 2017 by Cork County Council to grant subject to conditions a permission to Patricia Daly care of Diarmuid Twomey of Annagloor, Millstreet, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a new dwelling house, associated new driveway and parking spaces, connect to existing services and all other associated site works on a subdivision of number 15 Woodbine Lawn, all at number 15 Woodbine Lawn, Inniscarra View, Ballincollig, 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.**

## 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 residential zoning for the site of the proposed development, the pattern of development in the 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 and would be acceptable in terms of pedestrian and traffic safety. 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 in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 9<sup>th</sup> day of October 2017, 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 site layout map, the extent of the rear garden of the proposed dwelling and of the adjoining existing dwelling, and all boundary wall details shall be as shown on the site layout map submitted to the planning authority on the 9<sup>th</sup> day of October, 2017.

**Reason:** To ensure adequate provision of private open space for both dwellings, in the interest of residential amenity.

3. The entrance, driveway and parking shall be as indicated on the site layout submitted to the planning authority on the 9<sup>th</sup> day of October, 2017. Car parking shall be provided for two cars in the parking area, and the gates to this parking area shall be so designed as to be incapable of opening outwards.

**Reason:** In the interest of pedestrian and traffic safety.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 to those Regulations shall take place without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the proposed dwelling.

5. Notwithstanding the exempted development provisions under Class 5 or Class 9 of Schedule 2, Part 1 to the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no vehicular access shall be created onto the Woodbine Lawn frontage of the subject site.

**Reason:** In the interest of pedestrian and traffic safety.

6. Water supply and 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 and to ensure a proper standard of development.

7. Prior to the commencement of development, 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. Roof colour shall be blue black or slate grey only (including ridge tiles).

**Reason:** In the interest of orderly development and the visual amenities of the area.

8. 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

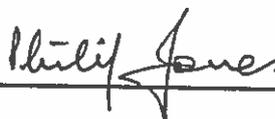
**Reason:** In the interests of visual and residential amenity.

9. 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 the commencement of development. This plan shall provide details of intended access arrangements and of construction practice for the 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.

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 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.



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

Dated this 9<sup>th</sup> day of March 2018.