



An
Bord
Pleanála

Board Direction
BD-005669-20
ABP-306393-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/04/2020.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the design, form, bulk, height and external finishes of the proposed development on this steeply sloping site in a high value landscape, it is considered that, subject to the conditions set out below, that the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity or be prejudicial to public health. As such the proposed development would be in accordance with the ppsd of the area.

Conditions

1. Plan partic
2. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the

development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity

4.

- (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. Full details illustrating compliance with this condition shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.
- (c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first occupancy of the dwellinghouse and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.
- (d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.
- (e) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

- 5. Water supply and 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.

6. Standard IW

7. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwellinghouse without a prior grant of planning permission.

Reason: In the interest of residential amenity.

8. Standard construction hours

9. S 48 unspecified

In deciding not to accept the Inspector's recommendation to refuse permission, the Board did not agree that the proposed development would constitute an unduly obtrusive and visually prominent feature which would not integrate appropriately into the high value landscape at this location and would contravene specific objectives HE 4-6, GI 6-1 and GI 6-2 and GI 7-1 of the Cork County Development Plan 2014. Instead it was of the view that the proposed development provided an appropriate design response to the steeply sloping site in the coastal location and that the proposed development would integrate in an appropriate manner into the landscape consistent with development plan policy.

The Board also did not consider that the proposed development, which would be subject to the conditions attached to the grant of permission, would give rise to an excessive concentration of development served by septic tanks and/or individual wastewater treatment systems in the area or would be prejudicial to public health.

Board Member

Date: 29/04/2020

Terry Prendergast