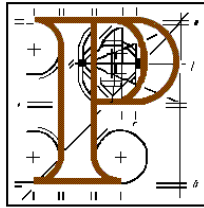


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 15/05103

An Bord Pleanála Reference Number: PL 04.245570

APPEAL by Joseph Murphy of The Bungalow, Garrylucas, Kinsale, County Cork against the decision made on the 7th day of September, 2015 by Cork County Council to grant subject to conditions a permission to Nicholas Sellors care of Barnes Murray De Bháill of The Old Forge, Innishannon, County Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The provision of three number additional caravan plots, the upgrading of the existing wastewater treatment arrangements and all ancillary works at Garrylucas, Ballinspittle, 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 limited nature and scale of the proposed development within an established caravan park within the development boundary of Garrettstown/Garrylucas, 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 not be prejudicial to public health. 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 particulars submitted on the 10th day of August 2015, 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 caravan pitch proposed in the south-western most corner of the site as delineated on the drawing titled 'Proposed Layout (1 of 2)' submitted to the planning authority on the 27th day of May, 2015, shall be omitted.

Reason: In the interest of preserving the residential amenity of adjoining property.

3. Planting proposals for the south-western boundary of the site in the vicinity of the additional pitches as delineated on the drawing titled 'Proposed Layout (1 of 2)' and a timescale for implementation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual and residential amenities of the area.

4. (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 27th day of May, 2015. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.
- (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 its installation 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 paved areas of the site shall be diverted away from the location of the polishing filter.
- (e) Within three months of the installation of the treatment system, 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.

Reason: In the interest of public health.

5. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the area of the proposed wastewater treatment system. In this regard, the developer shall -
- (a) notify the planning authority in writing at least four weeks prior to the commencement of development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

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

Dated this day of 2016.