



An
Bord
Pleanála

Board Order
PL 04.249360

Planning and Development Acts 2000 to 2017

Planning Authority: Cork County Council

Planning Register Reference Number: 17/04781

Appeal by Ann Riordan of Johnstown, Douglas, Cork against the decision made on the 11th day of September, 2017 by Cork County Council to grant subject to conditions a permission to John and Helena Sweetnam of The Lodge, Moneygurney, Johnstown, Douglas, Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: (As revised by the further public notice received by An Bord Pleanála on the 5th day of March, 2018). Retention and completion of rear single storey extension including renovations to two-storey cottage, incorporating demolition of rear section, etc., with roof/dormer window modifications, block up rear door and gable window, removal of side bay window incorporating first floor balcony, as well as retention and completion of an additional single storey rear extension and new wastewater treatment and disposal system, all at The Lodge, adjacent to Moneygurney House, Moneygurney, Johnstown, Douglas, 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 provisions of the Cork County Development Plan 2014, to the pattern of development in the area and to the nature and scale of the proposed development and the development to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development to be retained would not seriously injure the residential or visual amenities of the area or of adjoining properties, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the planning authority's assessment of the proposed waste water treatment system and was satisfied that the effluent can be satisfactorily treated and/or disposed of on site and considered that the proposed development and the development to be retained would 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 the 4th day of July, 2017 and the 25th day of August, 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. 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 of those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials 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. The extension shall be used solely for the purposes incidental to the enjoyment of the dwellinghouse.

Reason: In the interest of residential amenity.

5. The finished floor levels of the proposed structure and the original site ground levels (including removal of the temporary soil heap) shall be reinstated in accordance with the details submitted to the planning authority on the 3rd day of April, 2017 and on the 25th day of August, 2017.

Reason: In the interest of visual amenity.

6. All existing trees/hedgerows along the boundaries of the site shall be retained and their roots protected from damage during construction works so as to form a feature of the proposed development. Prior to commencement of any further development works on site, tree protective measures, including a site layout drawing showing the proposed location of protective barriers/fencing relative to identified root protection zones of existing trees, shall be submitted to, and agreed in writing with, the planning authority.

Reason: To protect trees and planting during the construction period and in the interest of visual amenity.

7. During the course of construction of work, the developer shall provide on-site, a covered skip or other such receptacle for the deposit therein of all rubbish, litter, packaging, rubble and other such materials arising from the works. The developer shall ensure that the site and its environs are maintained at all times in a clean and tidy condition.

Reason: To protect the amenities of the area.

8. During the course of construction, the developer shall provide adequate off-carriageway parking facilities within the curtilage of the site for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road or footpath.

Reason: In the interest of traffic safety and to protect the amenities of the area.

9. Sight distances of 90 metres in both directions, at a point 2.4 metres back from the edge of the public road to the nearside edge, shall be provided in the centre of the vehicular entrance to the satisfaction of the planning authority prior to the commencement of any other development on site. A revised site layout showing the sightlines to the nearside edge of the carriageway shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

10. All gates shall open inwards.

Reason: in the interest of traffic safety.

11. Two number on-site car parking spaces shall be provided to the satisfaction of the planning authority prior to the first occupation of the proposed development.

Reason: in the interest of traffic safety and to prevent traffic congestion.

12. Surface water from the site shall be disposed of within the site by means of soakways and shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

13. A drainage grating, along with a discharge pipe to a soakway located within the site, shall be installed at the entrance to the site to the satisfaction of the planning authority.

Reason: In the interest of traffic safety and to prevent flooding.

14. The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. 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 percolation area is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

15. Prior to commencement of development, the developer shall consult with Irish Water in relation to the requirement for a connection agreement for the development.

Reason: In the interest of orderly development.

