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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/07030**

**Appeal** by Mary Healy and Margaret Healy of Dún Rí, Barrack Road, Mitchelstown, County Cork against the decision made on the 21<sup>st</sup> day of February, 2018 by Cork County Council to grant subject to conditions a permission to Shannore Limited care of O'Keeffe O'Connell Architects Limited of Annabella, Mallow, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of: (1) Two extensions to the front (south-east) of the existing nursing home, Extension A - consisting of eight number en-suite bedrooms. Extension B - consisting of new reception, entrance lobby and smoking area. (2) Elevational changes. (3) An increase in the existing car park to 19 number spaces. (4) New site entrance to the rear of the site from Barrack Road, along with all associated site works. All at Corpus Christi Nursing Home, Brigown, Mitchelstown, County Cork. Further public notices were received by the planning authority on the 26<sup>th</sup> day of January, 2018.

## **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 zoning provisions for the site as set out in the Fermoy Municipal District Local Area Plan, 2017, to the established nursing home use on the site, and to the design, character and layout of the development proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of houses in the vicinity of the site, would be acceptable in terms of traffic safety and convenience and would, otherwise, 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, 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 proposed extension comprising the additional bedrooms shall not be occupied prior to the completion of the foul sewer pumping station upgrade and the upgrade works to the receiving Mitchelstown Waste Water Treatment Plant, with the timing of such occupancy being agreed in writing with the planning authority.

**Reason:** In the interest of orderly development.

3. The proposed new vehicular entrance shall be omitted.

**Reason:** In the interests of traffic safety and residential amenity.

4. The developer shall provide for the construction of an 800 millimetres high frosted/opaque toughened glass fence above the existing northern site boundary wall in accordance with details submitted to the planning authority by way of unsolicited information on 11<sup>th</sup> day of January, 2018. Prior to commencement of development, details of the materials, construction methodology and layout of the fence shall be agreed in writing with the planning authority.

**Reason:** In the interest of residential amenity.

5. Details of the materials, colour and texture of all external finishes and details of any additional signage to the extended nursing home shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

6. 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.

**Reason:** In the interest of visual amenity.

7. Water supply and drainage arrangements, including the attenuation and 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.

8. 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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**Eugene Nixon**

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

**Dated this            day of            2018.**