



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/04376

Appeal by Alex and Kay Sheehan care of John Morrison of Kilclare Upper, Conna, County Cork against the decision made on the 10th day of April, 2018 by Cork County Council to grant subject to conditions, permission to Michael Sheehan and Paula O'Regan care of FC Design Services of Grange West, Fermoy, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention and completion of two-storey dwellinghouse (change of layout and design from that permitted under planning register reference number 16/5812) at Laght, Glanworth, 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 planning history of the site and the existing pattern of development on the site and in the vicinity, it is considered that, subject to compliance with the conditions set out below, the development proposed to be completed and retained would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity. The development proposed for retention and completion would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 development shall comply with the terms and conditions of the permission granted under planning register reference number 16/5812 which governs the overall development of the lands of which the site forms part, save where amended by the terms and conditions herein.

Reason: In the interest of clarity.

3. 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.

4. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

5. (a) The entrance shall be recessed a minimum of 4.5 metres from the front boundary fence and side walls shall be splayed at an angle of 45 degrees and walls and piers shall not exceed a height of one metre over the level of the adjoining public road,

(b) the carriageway of the public road shall not be raised, lowered or otherwise altered at its junction with the access driveway to the proposed dwelling,

- (c) the gradient of the access driveway shall not exceed three percent for the first seven metres adjacent to the carriageway of the public road,
- (d) side walls and piers of the entrance and any new road boundary shall be of (a) local natural stone, (b) sod and stone or (c) earth berm with hedge of indigenous species planted on top at 60 centimetre intervals,
- (e) any gates shall open inwards, only, and
- (f) sight distance of 120 metres to the north and 120 metres to the south shall be provided from centre point of entrance 2.4 metres back from the public road edge. No vegetation or structure shall exceed one metre in height within the sight distance triangle.

Reason: In the interest of traffic safety and visual amenity.

6. 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.

Reason: In the interest of public health.

7. All necessary measures be taken by the contractor, including the provision of wheel wash facilities, to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

8. (a) The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.
- (b) Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 09.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interests of public safety and residential amenity

Paul Hyde

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

Dated this day of 2018.