



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/00163

Appeal by Christy Hurley care of Gearóid Hayes and Associates Limited of 13 Oliver Plunkett Street, Bandon, County Cork against the decision made on the 16th day of August, 2018 by Cork County Council to grant subject to conditions a permission to Gene O'Neill care of Christy Crowley of Cove Road, Reenrour West, Bantry, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of the siting of dwellinghouse, site boundaries, location of bored well, location of septic tank, vehicular entrance, first floor east facing gable window and roof light to rear north facing roof from that previously granted under planning register reference number 10/835, the retention of a detached timber store to rear of dwelling, the retention of a small chicken shed, the retention of a dog kennel, the retention of a freestanding farm building for use by cattle and the retention of an adjacent and associated slatted tank and the retention of a second entrance with double gates from the L-47184-0 road. Permission is also sought to construct a new extension to the farm building for use by cattle and for all associated site works at Ardrah, Bantry, Co. Cork. (As amended by the further public notice received by the planning authority on the 26th day of July, 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 existing pattern of development and the nature and scale of the development as proposed, it is considered that, subject to compliance with the conditions set out below, the development to be retained, and the proposed development would not be prejudicial to public health, would not seriously injure the amenities of the area or of property in the vicinity and would generally be acceptable in terms of traffic safety and convenience. The proposed development 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, as amended by the further plans and particulars submitted on the 20th day of July, 2018, 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. Within two months from the date of this Order, the second entrance shall be reconfigured to the entrance arrangement indicated on the amended Site Layout Plan received by the planning authority on the 20th day of July, 2018. This shall specifically provide for a single six metre wide entrance gate that only open inwards.

Reason: In the interest of traffic safety

3. Within two months from the date of this Order, the drainage arrangement, in particular, the ACO drainage channel as detailed and indicated on the amended Site Layout Plan received by the planning authority on the 20th day of July, 2018 shall be fully implemented. Surface water shall be disposed of within the site and shall not be discharged onto the public road network.

Reason: In the interest of the protection of water sources in the area and orderly development.

4. Water supply and drainage arrangements for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services. In this regard -
- (a) all uncontaminated surface water run-off shall be disposed of directly in a sealed system and shall not discharge or be permitted to enter the soiled water drainage system and effluent tanks, and
 - (b) all soiled waters shall be directed to a storage tank. Drainage details shall be submitted to, and agreed in writing with, the planning authority within two months from the date of this Order.

Reason: In the interest of environmental protection and public health.

5. All construction work in relation to the extension to the farm building incorporating a slatted floor and underground tank storage shall comply with the requirements of all current specifications as required by the Department of Agriculture, Food and Marine in relation to the construction and maintenance of such buildings

Reason: In the interest of environmental protection and orderly development.

6. The number of animals to be accommodated in the proposed extended development shall not exceed that for which adequate slurry storage capacity is provided in accordance with S.I No. 605 of 2017, European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2017.

Reason: In the interest of environmental protection and orderly development.

7. The external finishes of the proposed farm building development shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

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

Dated this day of 2019.