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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/00580**

**Appeal** by Marcellino Smyth care of Payne Planning and Associates of Gort Meirbh, Durrus, Bantry, County Cork against the decision made on the 5<sup>th</sup> day of March, 2019 by Cork County Council to grant subject to conditions a permission to O'Neill Hotel Limited care of Hogan Architecture Urban Design of The Lodge, Proby's Quay, Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Extension to existing hotel premises comprising spa/gym facility on ground floor and a total of 16 number guest bedrooms over first and second floors, together with associated elevational alterations and site development works, all at Fernhill House Hotel, Fernhill Road, Tawnies Lower, Clonakilty, 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.**

## **Reasons and Considerations**

Having regard to the zoning provisions for the site as set out in the current Clonakilty Town Development Plan, to the design, character and layout of the development proposed, and to the extent of car parking provided on the hotel site, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenities of adjoining properties, would be acceptable in terms of traffic safety and convenience and would otherwise be in accordance with the provisions of the current Clonakilty Town Development Plan and the current Cork County Development Plan. 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 plans and particulars submitted to the planning authority on the 7<sup>th</sup> day of February, 2019 and by the further plans and particulars received by An Bord Pleanála on the 25<sup>th</sup> day of April, 2019, 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. Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

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

3. Water supply and drainage arrangements, including the 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. A comprehensive boundary treatment and landscaping scheme at the location of the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:-
  - (a) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings, and
  - (b) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

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

5. Prior to the commencement of development, a traffic management plan shall be submitted to, and agreed in writing with, the planning authority. This plan shall address the traffic management provisions for the functioning of the hotel, with particular emphasis on parking at peak periods, servicing and the avoidance of overspill beyond the established and permitted parking areas on the site.

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

6. 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 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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**Paul Hyde**

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

**Dated this            day of            2019.**