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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 20/04949**

**Appeal** by Yvonne McBain of 28 Lower Grange, Bray, County Wicklow and by Elizabeth Bond of Number 2 Cottage, Sandy Cove, Kinsale, County Cork against the decision made on the 2<sup>nd</sup> day of July, 2020 by Cork County Council to grant subject to conditions a permission to Jacinta and Noel McMahon care of McClew Architecture of Douglas Business Centre, Carrigaline Road, Douglas, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a ground floor and first floor extension to existing single storey cottage including a new terrace at first floor level, energy retrofit upgrades and reconstruction of existing walls, floors and re-roofing, alterations to elevations, up grading of the existing wastewater treatment system to include a new wastewater filter bed and associated site works and services (change of design from that permitted under planning register reference number 19/06032). All at Rose Cottage, number 4 The Cottages, Ardkilly, Sandy Cove, Kinsale, 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 Cork County Development Plan 2014-2020, the Bandon/Kinsale Municipal District Local Area Plan, 2017 and the planning history of the site, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would 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 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 construction of the development shall be managed in accordance with a Construction 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 hours of working, noise management measures, an indicative timetable for the attendance of plant, machinery, and vehicles on the site, and off-site disposal of construction/demolition waste.

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

3. (a) The polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 13<sup>th</sup> day of May, 2020.
- (b) Within three months of the first occupation of the extension, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the polishing filter is constructed in accordance with the details submitted to the planning authority on the 13<sup>th</sup> day of May, 2020.

**Reason:** In the interest of public health.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

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

**Dated this            day of            2020.**