

Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 20/00772

Appeal by Angela Fahy of Rushanes, Glandore, County Cork and by Liam and Helen Quirke of Rushanes, Glandore, County Cork against the decision made on the 16th day of August, 2021 by Cork County Council to grant subject to conditions a permission to Fergal Goulding care of Wain Moorehead Architects Limited of Pembroke House, Pembroke Street, Cork, County Cork in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of three number detached dwellinghouses, including vehicular entrances, wells for potable water, connections to existing mains services and all ancillary site development works at Rushanes, Glandore, 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 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas issued by the Department of Environment, Heritage and Local Government in May 2009, the Cork County Development Plan 2014 – 2020, the West Cork Municipal District Local Area Plan 2017, the planning history of the site, and the design, scale and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be capable of being absorbed within the landscape of Glandore Village, would be compatible with the visual amenities of the area, would afford an acceptable standard of amenity to future occupiers, and would be acceptable with regard to pedestrian and traffic safety. 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 20th day of July 2021 and by the further plans and particulars received by An Bord Pleanála on the 12th day of October 2021, 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 development shall be amended as follows:
 - (a) Plans and elevations of the proposed site entrances and the retained northern boundary wall shall be prepared.
 - (b) Cross sections of the proposed driveways to each dwellinghouse shall be prepared showing the gradients of these driveways.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to afford the planning authority the opportunity to control this aspect of the proposal, in the interests of visual amenity, usability, and safety.

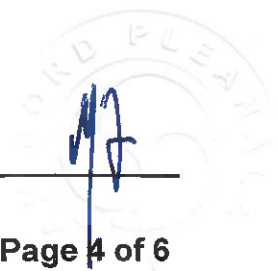
3. The landscaping scheme shown on drawings numbers 10992-0-800 (revision 2), 801 (revision 1), and 802 (revision 1) as submitted to An Bord Pleanála on the 12th day of October 2021 shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

4. The water supply to serve the proposed dwellings shall have sufficient yield to serve the proposed development, and the water quality shall be suitable for human consumption. Details, demonstrating compliance with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate water is provided to serve the proposed dwelling, in the interest of public health.



5. Prior to commencement of development, the developer shall enter into a wastewater connection agreement with Irish Water.

Reason: In the interest of public health.

6. 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 and off-site disposal of construction/demolition waste.

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

7. The roof colour of the proposed houses shall be blue-black, black, dark brown or dark grey. The colour of the ridge tiles shall be the same as the colour of the roof.

Reason: In the interest of visual amenity.

8. The materials finishes and colours shall be as indicated on the elevations for each dwellinghouse submitted to the planning authority on the 20th day of July 2021.

Reason: In the interest of visual amenity.

9. 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.

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.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *17th* day of *January* 2022.

