

An  
Bord  
Pleanála

Board Order  
ABP-312827-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/6342**

**Appeal** by Presentation Sisters care of McCutcheon Halley Chartered Planning Consultants of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 27<sup>th</sup> day of January, 2022 by Cork County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of two number dwellinghouses and all associated ancillary site development works at Knocknagore (Townland), Crosshaven, 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 of the site as set out in the Cork County Development Plan 2022-2028, and the infill nature of the site within a serviced residential area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in keeping with the character and pattern of development in the area and would not, detract from the special character and interest of the adjoining Protected Structure, seriously injure the residential amenities of the area, or endanger public safety by reason of a traffic hazard. 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 received on the 23<sup>rd</sup> day of December 2021 and further information received on the 14<sup>th</sup> day of January 2022, 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 external finishes to the proposed dwellings, 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. Prior to commencement of development, revised boundary treatments complying with the following requirements shall be submitted to and agreed in writing with the planning authority:
  - (a) The section of the proposed rear boundary wall between the garage structure on the grounds of Saint Brigid's Church and the vehicular entrance to Saint Brigid's National School shall be constructed of stone and designed to match the historic stone boundary walls within the curtilage of the church.
  - (b) The overall height of the proposed rendered and capped boundary wall along the northern boundary of the site shall not exceed 1.8 metres above the ground level of 'Site Number 1'.
  - (c) The front (western) boundary of the site shall be faced in stone with concealed piers and a simplified profile in keeping with the prevailing boundary treatments on Upper Road.

**Reason:** In the interest of protecting the special character of the protected structure and the visual amenity of the area.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
- (i) The species, variety, number, size and locations of all proposed trees and shrubs.
  - (ii) Details of screen planting which shall not include *cupressocyparis x leylandii*.
- (b) A timescale for implementation.

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

5. 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.

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

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

7. The naming and numbering of the dwellings shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing with, the planning authority prior to occupation of the proposed dwellings.

**Reason:** In the interest of orderly development.

8. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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 order to safeguard the residential amenities of property in the vicinity.

9. 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 proposed development, including traffic management measures.

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

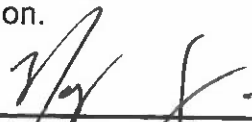
10. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources)

pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of sustainable waste management.

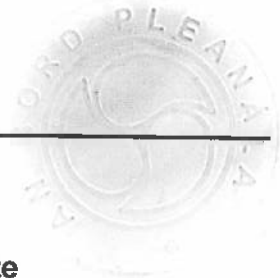
11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms 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 the 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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**Mary Cregg**

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



Dated this 23<sup>rd</sup> day of June 2023.