



An
Bord
Pleanála

Board Order
ABP-319806-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 244459

Appeal by John Walsh of Riverside House, Navigation Road, Mallow, County Cork against the decision made on the 9th day of May 2024, by Cork County Council to grant subject to conditions a permission to Melissa Leahy care of O'Connor Architectural Design and Planning of 38 Old Avenue, Riverstown, Glanmire, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of the existing dwelling as constructed (change of design from that granted under planning register reference numbers PD 35, PD 982 and PD 1337). Retention of the existing detached domestic garage as constructed. Retention of the alterations to the boundary at the rear of the dwelling. Decommissioning of the existing septic tank and percolation area to the rear of the property and replacing it with a package pump system and rising main to connect to the public sewer on Navigation Road, all at Leadon, Navigation Road, Annabella, Mallow, 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 nature of the development proposed to be retained and the proposed development, the design and scale of the existing dwellinghouse on site and its position relative to the adjoining site to the west, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and the proposed development would not adversely impact on the residential amenities of adjoining properties, would be consistent with the provisions of the Cork County Development Plan 2022-2028, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 24th day of April 2024, 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development:

- (a) The developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection(s) to the public wastewater collection network.
- (b) The design layout and header manhole shall be agreed with Uisce Éireann as part of the connection agreement.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

- 3. (a) Details and design calculations for the proposed sewage pumping station and rising mains shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The pumping station shall be operated and maintained to the satisfaction of the planning authority. Prior to commencement of development, written evidence of a maintenance contract to ensure the continuous operation of the pumping station shall be submitted to, and agreed with, the planning authority.
- (c) The existing septic tank and percolation area shall be decommissioned once the proposed system is operational.

Reason: In the interest of public health.

4. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to soakpits.

Reason: In the interest of public health.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. The garage shall be used solely for purposes incidental to the domestic use on site, shall not be used for any commercial or business use, and shall not be sold, let or otherwise transferred or conveyed save as part of the dwellinghouse on site.

Reason: To protect the amenities of property in the vicinity.

Eamonn James Kelly

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Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *10th* day of *February*, 2025.