

An
Coimisiún
Pleanála

**Commission Order
ABP-320877-24**

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 23/06406

Appeal by Fiachra and Deborah Ó Cinnéide care of Southgate Associates of Farren House, Cork Road, Midleton, County Cork against the decision made on the 28th day of August, 2024 by Cork County Council to refuse permission for the proposed development.

Proposed Development: Development to existing Coach House, stables, outbuildings and courtyard – a Protected Structure (RPS 2198) with change of use to provide a single-family dwelling. Construction works to include a single storey entrance lobby with carport, a dormer window and timber balcony to north façade and provision of a new well to the south of existing buildings, new septic tank and percolation area to north of existing buildings and associated site works. Conservation works include some minor modifications to existing window opes, replacement windows and doors, conserved and replaced natural slate roofs with new skylights, modification of groundline to south of existing buildings to facilitate access, and internal refurbishment and modifications, all at Coach House, An Gáirdín Rúndach, College Road, Fermoy, 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 residential land use zoning of the site, the architectural treatment, character, scale and form of the proposed development, the Architectural Heritage Impact Assessment and Conservation Method Statements submitted in support of the subject application, and the provisions of the Cork County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character and setting of the Protected Structure, would not seriously injure the residential amenities of the area or of property in the vicinity and would not represent a traffic safety issue. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to include condition number 3(d) as recommended by the Commission's Planning Inspector, the Commission had regard to the provisions of the Cork County Development Plan 2022-2028 Objective WM 11-9 which requires that development in all settlements connect to public wastewater treatment facilities, subject to sufficient capacity being available which does not interfere with Council's ability to meet the requirements of the Water Framework Directive and the Habitats Directive.

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 on the 1st day of August 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 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) The proposed external door from the kitchen onto the proposed balcony shall be omitted.
 - (b) The proposed two number doors from the family/games room onto the balcony as per drawings submitted on the 1st day of December, 2023 are hereby permitted.

Revised drawings in compliance with the above shall be submitted for the written approval of the planning authority prior to the commencement of any development works.

Reason: In the interest of clarity and in the interest of proper planning and sustainable development.

3. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority:
- (a) Details of Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.
 - (b) Detailed drawings to include cross-sections of the proposed wastewater and water connections to the Uisce Éireann network.
 - (c) Details of site-specific drawings for the proposed soak pit on site.

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

4. Prior to the commencement of development, the developer shall submit detailed design specifications, to include materials and finishes, including those for the proposed balcony, carport and dormer/rooflights, for the written agreement of the planning authority.

Reason: In the interest of the protection of architectural heritage and in the interest of proper planning and sustainable development.

5. Prior to the commencement of development on the Protected Structure, the developer shall submit for the written agreement of the planning authority confirmation that:
- (a) the proposed works will be monitored by a suitably qualified architect with conservation expertise and accreditation and,
 - (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

Reason: In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).

6. The development shall ensure that all mitigation measures set out in the Bat Survey and Assessment submitted with the application and Derogation Number DER-BAT-2025-176, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

7. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

8. 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 proper planning and sustainable development.

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 development.

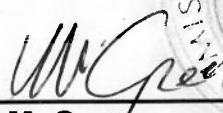
Reason: In the interests of environmental protection, residential amenities, public health and safety, and environmental protection.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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 amenities of property in the vicinity.

11. 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 Coimisiún 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.



Liam McGree

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 09th day of OCTOBER 2025