

An
Coimisiún
Pleanála

Commission Order
PL-501163-CK-26

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 256931

Appeal by Cal and Rose Flavin against the decision made on the 30th day of March 2026 by Cork County Council to grant, subject to conditions, a permission to Elise Beausang in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission consequent on the grant of outline permission (register reference number 25/5424) to construct a house with domestic effluent treatment plant, site entrance and access roadway including all associated site development works at Coppingerstown, Midleton, 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 planning history of the site and in particular to the grant of outline permission under planning authority register reference 25/5425, the nature and scale of the proposed development, the location of the site, the pattern of existing development in the area and to 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 seriously injure the amenities of the area or of residential property in the vicinity, would be acceptable in terms of traffic safety, would not be prejudicial to public health, and would not conflict with the policies or objectives of the Cork County Development Plan 2022-2028. 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 received by the planning authority on the 22nd day of December 2025, as amended by the further plans and particulars submitted on 5th day of March 2026, 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. All relevant conditions attached to the grant of outline planning permission associated with the subject site, planning authority register reference 25/5424 refers, shall be strictly adhered to.

Reason: In the interest of residential amenity.

3. The developer shall provide and arrange for the continuous and indefinite maintenance of an adequate supply of potable water for the domestic and sanitary needs of the development. Should connection to the public water supply become available, this shall be carried out in a manner that is technically satisfactory to the requirements of Uisce Éireann, at the expense of the occupier of the subject dwelling. These requirements shall include payment of the appropriate connection fee.

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

4. (a) The septic tank system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on 30th May 2025 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank shall be discharged to a percolation area which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

5. The following requirements shall be adhered to in full:

- (a) The vehicular access serving the proposed development, shall comply with the requirements of the planning authority for such road works.
- (b) Any gate to be installed shall be inwards opening only and shall not open out onto the public road.

Reason: In the interest of traffic and pedestrian safety.

6. (a) The roof colour of the proposed house shall be blue-black, black, dark brown or dark grey. The colour of the ridge tile shall be the same as the colour of the roof.
- (b) The external walls shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of visual amenity.

7. The stone finish on the dwelling and entrance walls shall be of natural stone indigenous to the vicinity of the site, unless otherwise agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

8. The landscaping scheme as submitted to the planning authority on the 5th day of March, 2026 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.

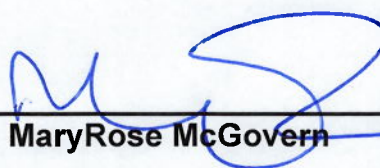
Reason: In the interest of residential and visual amenity.

9. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. 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.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 12th day of August 2026