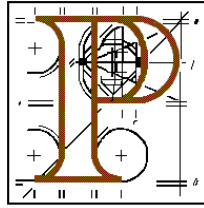


An Bord Pleanála



Inspector's Addendum Report

Development: House and detached double garage, septic tank & percolation area, new entrance, and all site works at Knockboy, Carrignavar, Co. Cork.

Planning Application

Planning Authority : Cork County Council
Planning Authority Register Ref. : 15/05684
Applicant : Declan O'Mahony & Emily Geaney
Type of Application : Permission
Planning Authority Decision : Grant permission

Planning Appeal

Appellant(s) : Andrew & Deborah King
Type of Appeal : 3rd Party v Grant
Observer(s) : None

Date of site inspection : 7th September 2016.

Inspector: **Michael Dillon**

1.0 Board Direction

- 1.1 At a meeting of 27th April 2016, the Board decided to defer consideration of this case and to issue a Section 132 notice to the applicant in relation to two issues relating to housing need and drainage.
- 1.2 By letter dated 17th May 2016, the Board wrote to the applicant requesting comment on these two issues, on or before 13th June 2016.

2.0 Applicant's Response

- 2.1 The response of Declan O'Mahony & Emily Geany, received by the Board on 10th June 2016, can be summarised in bullet point format as follows-
 - Letter from David Mulcahy Design & Planning (dated 8th June 2016) to state that the location of the wastewater treatment unit and percolation area is the location of the Engineer's site assessment Report, notwithstanding that planning drawings show it in a slightly different location.
 - Letter from the applicants as follows-
 - The entirety of the landholding is farmed by Emily Geany's father. The farm is just over 40 acres.
 - The parents of Emily Geany reside at Ballinaborta, Carraig na bhFear. Emily Geany's father (John Geany) did not inherit any land from his parents – other than the site on which he built a house in 1985. His elder brother inherited the family farm (now in the ownership of his nephew). John Geany purchased his own farm in Knockboy in the early 1990's. Currently there are no farm buildings on the farm in Knockboy – machinery being stored in a shed at the house in Ballinaborta. Over the winter, cattle are stored in sheds of his nephew's adjoining farm at Ballinaborta. There is not enough land at Knockboy to justify building sheds and supervision would not be made easy by the family house being in Ballinaborta. This is not an ideal situation.
 - It would make the running of the farm simpler if Emily Geany and Declan O'Mahony could live on the lands they will be farming. John Geany hopes to retire in the next four years.
 - The applicants intend to attend a Teagasc Course 'The Green Certificate' when the waiting list allows (currently two years) so within twelve months. For tax purposes it would not be efficient to transfer the farm to the applicants until they have finished the course, and until John Geany is ready to retire.
 - The applicants would continue to use Emily's cousin's sheds at Ballinaborta to house cattle during the winter.
 - Declan O'Mahony comes from a farming family.

- The applicants hope to build a milking shed and parlour in the future. The farm would be sufficient for a milking herd of 40 cows. Declan O'Mahony would continue his plumbing job on a part-time basis alongside the farming enterprise.
- Emily Geany's father has no sons to continue the farming enterprise. If Emily Geany cannot farm the lands, they will have to be sold once John Geany retires.
- Emily Geany has lived in Carraig na bhFear for 29 of her 30 years. Declan O'Mahony has lived all his life on his family farm at Bunnaglanna, Glenville, Co. Cork.
- Emily Geany's contract with Noel Smyth & Partners has finished, and she has returned home.
- Letter from Teagasc relating to the applicants being on the waiting list to complete the Teagasc Green Cert distance learning programme.
- Aerial photographs showing the appeal site, current places of residence of the applicants relative to the appeal site; aerial photograph of Emily Geany family home; aerial photographs of her cousin's farm sheds relative to family home.
- Map showing extent of 40-acre farm at Knockboy.
- Report from Clement O'Sullivan, Architectural & Engineering Services, in relation to drainage, as follows-
 - There was heavy rain in the Cork area between November 2015 and April 2016 – likely the period when the Board's Inspector visited the site.
 - A site inspection was carried out on 1st June 2016. Heavy machinery around a trial hole can compact the ground, whereas around percolation holes such heavy machinery is not required.
 - Livestock can trample ground around a trial hole too.
 - Any ponding on the site is at surface level only. Site tests carried out in June 2015 indicated a silt/clay subsoil. Soil at 1m depth has the necessary percolation qualities.
 - Surface run-off design of the garden of the house will ensure that there will be no surface water ponding.
 - Assessment was carried out on the western side of the site – notwithstanding that Architect's drawings show the system on the eastern side. This side was selected so as to be removed as far as possible from neighbours.
 - There are a six colour photographs accompanying this report.

3.0 Comment

- 3.1 The applicants have submitted detailed information in relation to the location of current places of residence, the location of the house of Emily

Geany's parents, the extent of family lands in the area, current farming practices, and plans for future farming of the land. The 40-acre farm at Knockboy is without a farmhouse or farm buildings, although the lands must once have been associated with a farmhouse and farm buildings – likely the house to the northwest.

- 3.2 I carried out a second site inspection on 7th September 2016. The site was dry underfoot. Part of the site was grassed and part comprised stubble of recently-harvested grain. The applicant has commented in relation to the location of the septic tank and percolation area – confirming that it is to be located as indicated on drawings submitted with the Site Assessment Report and not as shown on Architect's drawings. The site was dry underfoot on the date of second site inspection.

**Michael Dillon,
Inspectorate.**

9th September 2016.