



An
Bord
Pleanála

Inspector's Report PL88.247116.

Development	Demolish community hall and construct a new community hall, library, store, dispensary and offices and install a treatment plant.
Location	Gneeves, Sherkin Island, Skibbereen, Co Cork.
Planning Authority	Cork County Council.
Planning Authority Reg. Ref.	15/626.
Applicant	Sherkin Island Development Society Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third party versus decision.
Appellant	Mick Levens.
Observer(s)	None.
Date of Site Inspection	18 October 2016.
Inspector	Stephen Rhys Thomas.

1.0 Site Location and Description

- 1.1. Sherkin Island is off the coast of Baltimore in West Cork. The island is accessed by means of a ferry from Baltimore to the pier at Harboursmouth. The site of the appeal is located approx. 800 metres to the southwest of the pier and overlooks Kinish Harbour which is sheltered and enclosed, and is a designated Oyster production area. The site fronts onto the public road.
- 1.2. Existing buildings comprise a community hall, two pre-fabricated temporary buildings and a wooden shed. The community hall is a single storey structure with a shallow gable roof profile and a flat roof porch projection to the public road. The building sits on a flat area slightly raised from the level of the road and cut from the bedrock to the rear. The remainder of the site comprises poor ground, quite hummocky and wet. There are a number of overgrown earth spoil piles to the east of the community hall building and there is a deep rutted vehicle track around the perimeter of the site. The western side of the appeal site is open to the road and the remaining boundaries generally comprise wire fencing.
- 1.3. The site is quite secluded, being visible primarily from the public road in the immediate vicinity. There are however, a number of vantage points where the existing community hall can be publicly viewed from across Kinish Harbour to the west. There are no mature trees or hedging of any note on the site.

2.0 Proposed Development

- 2.1. It is proposed to demolish the existing community centre building and associated temporary buildings and construct a new community centre, library, offices, kitchen, storage areas, Health Services Executive Suite, a computer room, kitchen and toilets, the stated floor area is 394.5 sq.m.
- 2.2. The existing septic tank on the foreshore will be decommissioned. A new wastewater treatment system and proprietary tertiary treatment percolation area installed within the site close to the eastern boundary.
- 2.3. The application was accompanied by:
 - A Site Suitability Assessment for wastewater treatment, prepared by Denis O'Sullivan Consulting Engineers.

- A Construction Waste Management Plan, prepared by Denis O’Sullivan Consulting Engineers (submitted as further information).
 - Appropriate Assessment Screening Report, prepared by Sorcha Sheehy Ecological Consultant (submitted as further information).
- 2.4. Further information was submitted by the applicant which altered the layout of the site. This resulted in the footprint of the community hall moved forward on the site by 5 metres off the rear boundary and 2 metres off the side boundary. A screen wall and screen planting were omitted from the revised landscape proposals. The driveway was moved northwards by 7 metres, a small porch was added and greater detail with regard to proposed building finishes and three dimensional drawings were also submitted. This is the proposal that is now effectively before the board.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission subject to a number of conditions, relevant conditions include:

- Condition 3 refers to a phasing strategy to ensure the removal of the existing community facility once the new building is completed.
- Condition 4 refers to the erection of a fence to protect the biodiversity value of the adjacent SAC.
- Conditions 7, 8, 9, 10 and 11 relate to visual amenity, the appearance and finished floor level of the building.
- Conditions 18 and 19 refer to the proposed wastewater treatment system.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The initial planning report required the further information referred to in section 2.4 above.

- The final planning report notes the acceptability of the further information received. This includes comments from the Senior Planner that the proposed amendments by the applicant were the best-fit solution given the site constraints.

3.2.2. Other Technical Reports

Environmental Health Officer Report – recommends standard technical conditions with regard to the construction and operation phases of the development and the decommissioning of the existing septic tank.

Area Engineer Report – recommends technical conditions with regard to wastewater treatment and car parking.

Environment Report – recommends technical conditions to do with waste management on site, noise and dust nuisance during construction and adequately cowled public lighting.

Ecologist Report – notes the content of the AA screening report, submitted as further information and recommends the attachment of conditions to ensure protection of Special Areas of Conservation.

3.3. Prescribed Bodies

Irish Water Report – recommends the attachment of standard technical conditions.

3.4. Third Party Observations

A third party submission was made with respect to the planning application and the issues raised are broadly the same as those raised in the grounds of appeal.

4.0 Planning History

None on the appeal site, but from the same applicant on a site in the wider vicinity:

Planning authority register reference W/03/163, An Bord Pleanála reference PL04.204466, permission refused for the Construction of an Arts, Culture and Health Centre and package waste treatment system at Kilmoon.

5.0 Policy Context

5.1. Local Area Plan

Skibbereen Electoral Area Local Area Plan Second Edition January 2015

Section 3: Settlements and Other Locations

West Cork Island Communities – Sherkin Island

Community Facilities:

Section 13.4.10. There is a need to ensure that existing community facilities are retained and that new facilities are provided where possible. The Council will support the provision of a multi-purpose community facility at an appropriate location subject to site suitability.

Objective no. C-01 - Support provision of a multi-purpose community, art, health, indoor sports, crèche centre.

General Objectives include:

Section 13.4.7. The general objectives for Sherkin Island are set out as follows:

Objective DB-01

(f) Maintain existing levels of services on the island and facilitate increased medical, emergency and recreational facilities.

(g) Improve services, facilities and attractions for residents and visitors and expand and develop enterprise and employment on the Island.

(j) All development should be supported by individual wastewater treatment systems, with a sustainable properly maintained water supply; unless a public supply is available and adequate provision for storm water storage and disposal. Such proposals will be assessed in line with the appropriate EPA code of practice and will have regard to any cumulative impacts on water quality and on Roaringwater Bay and Islands Special Area of Conservation.

(k) In order to secure the population growth and supporting development proposed, appropriate and sustainable water and waste water infrastructure that will secure the

objectives of the relevant River Basin Management Plan and the protection of Roaring Water Bay and Islands Special Area of Conservation, must be provided and be operational in advance of the commencement of any discharges from the development. Waste water infrastructure must be capable of treating discharges to ensure that water quality in the receiving environment does not fall below legally required levels. Sustainable Urban Drainage Systems (SUDS) and sufficient storm water attenuation will be required for developments within this area.

(m) Much of Sherkin Island is situated within Roaring Water Bay and Islands Special Area of Conservation. This plan will protect the favourable conservation status of this site, and all new development shall be designed to ensure the protection and enhancement of biodiversity generally.

Employment and Economic Development

Objective B-06 - Further develop the arts as an economy on the island.

Cork County Development Plan 2014

The appeal site is located in an area which is designated as a High Value Landscape.

5.2. **Natural Heritage Designations**

The appeal site is located in the Roaring Water Bay and Islands SAC (site code 000101). A rectangular portion of the site is outside of the SAC boundary.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

M Levens, a resident of a dwelling located to the west of the appeal site and north west of the location of the new community centre has submitted an appeal. The grounds of appeal can be summarised as follows:

- Whilst broadly supportive of the original position of the community centre building, the revised layout which resulted from a further information request, brought the building closer to their residence and this results in loss of privacy.
- The revised location and increase in elevation, means that there will be increased overlooking and an overbearing appearance.
- The development does not accord with the Skibbereen Electorate Area Local Area Plan 2015, insofar as the plan supports community development subject to site suitability, this site is not suitable.
- An observation letter with regards to the further information submitted by the applicant was not taken into account in the final decision of the planning authority.
- Alternative buildings exist to host uses such as the Visual Arts Course, during construction.
- The scale and bulk of the proposed building is out of context with surrounding structures.
- The amount of excavation required is incompatible with environmental sensitivity policies.
- The increase numbers of people using the building will result in a noise nuisance.
- The drawings are deficient insofar as certain elevations are not shown on longitudinal sections and no landscaping proposals have been prepared.
- The design principles of the Cork Rural Design Guide should be applied to the proposed building. There is no attempt made to link the building to the landscape.

6.2. Applicant Response

The applicant's response to the appeal has been prepared by Cunnane Stratton Reynolds, and is summarised below, as follows:

- The background to the proposal is outlined and includes a description of the condition of the building and reasons why other buildings such as the now closed national school cannot be used.
- The applicant disagrees that proper procedure has not been followed and outlines the series of events after further information was requested.
- The location of the proposed building results from the need to keep the centre open and will result in the new community centre being located further away from the appellant's property.
- The design and style of the proposed building is characteristic of the local vernacular building style, narrow windows and differing roof pitches.
- The siting of the new building will integrate with the existing site environment and finished floor levels match or are lower than buildings in the vicinity. There will be no impact upon loss of natural light to the appellant's property.
- The proposal is in line with LAP policy in terms of enhancing island community resources, environmental impacts and the retention of the Visual Arts programme (Dublin Institute of Technology) will boost the local economy.

The response is accompanied by letters of support from the Sherkin Island Development Society Ltd and Dublin Institute of Technology – Dublin School of Creative Arts.

6.3. Planning Authority Response

The planning authority's response is summarised as follows:

- An outline of the timing of report writing and decision making, in accordance with procedure and taking into account submissions made by the appellant.
- Reiteration that the site of the proposed community centre is acceptable.
- An explanation of the unique situation of the island population and the provision of services.
- Accordance with objectives of the LAP.

- Final report of Senior Planner which includes an examination of a submission with regard to the further information and a conclusion that the revised proposal is a best-fit solution.
- The planning authority confirms its decision and the attachment of 27 carefully drafted conditions.

The response includes the minutes of an Office Meeting held at Norton House, Skibbereen on the 26 February 2016, between Council officials, the agent for the applicant and members of the committee.

6.4. **Observations**

None.

7.0 **Assessment**

7.1. The key issues can be dealt with under the following headings:

- Accordance with the Local Area Plan.
- Visual and Residential Amenity.
- Wastewater Treatment.
- Re-use of existing buildings.
- Procedural Issues.
- Planning authority issues.
- Appropriate Assessment.

7.2. **Accordance with the Local Area Plan**

7.2.1. The appellant considers that the site due to its configuration and proximity to their property is not suitable for community development and so therefore the development fails to accord with the LAP for the area. The LAP places a considerable amount of importance on the provision and delivery of community facilities. In sensitive locations such as Sherkin Island, the Council supports the provision of multi-purpose community facilities subject to site suitability. In addition,

and specifically with reference to Sherkin, objective C-01 supports the provision of a multi-purpose community, art, health, indoor sports and crèche centre.

7.2.2. The issue for assessment is whether or not the site is suitable for the development of a new larger community facility in terms of location and layout. The following sections examine in detail the suitability of the site in the context of various technical and physical constraints. I am of the opinion however, that the centralised location of the proposed community centre which is easily accessible by foot or bicycle, is acceptable. Given that there is already a community centre here adds weight to the logic of selecting this location; it is therefore a suitable site and would accord with the Skibbereen Electoral Area Local Area Plan.

7.3. **Visual and Residential Amenity**

7.3.1. The original drawings submitted with the planning application, detail a community building which will be 4 metres higher than the existing community hall and located approximately 50 metres from the nearest dwelling (the appellant's) to the north west. After a further information request from the planning authority, the applicant re-positioned the new building 44 metres from the appellant's dwelling to the north west and 4.75 metres higher than the existing community centre. The new building will overtop the existing ground levels on the site by approximately 4 metres, though I note that the hills to the rear of the appeal site act as a backdrop. This backdrop effect, mitigates any perception of the proposed building breaking the skyline. The proposed building will be approximately 2 metres higher than the public road. Amended drawings show that the external building finishes comprise a combination of smooth plaster combined with natural stone.

7.3.2. Firstly, I am concerned about the impact of the building which will be set higher into the landscape than before. The impact of the proposed building will not be apparent in its immediate vicinity, as the surrounding low hills and the hunkered down nature of the site will limit its impact. I take the point offered by the appellant that the existing community hall is almost level with the road and that the new building should be located on the footprint of the old. Whilst this may appear as a logical course of action, there are technical issues to do with wastewater treatment, excessive cutting away of bedrock and timing which militate against this. My view is that the visual amenity afforded by the overall site is the important consideration in this case.

7.3.3. In this respect a good landscaping plan for the site should ensure that the community centre will be an acceptable addition to this picturesque bay side location. The long range views of the site from around Kinish Harbour are also an important consideration. There are no other locations on the island from which the building is likely to be visible. As before however, I believe that the topography of the landscape to the rear of the site combined with actual distance from the site will help to diminish the impact. In addition, a carefully considered landscape plan will assist the overall site to blend in with its surroundings. My view is that the existing community centre is already a visible element in the wider landscape to the west and that the proposed community centre, as amended by an appropriate landscape plan and coherent building finish will be a beneficial addition to the visual amenities of the island.

7.3.4. Secondly, I have examined the drawings submitted, including longitudinal sections, elevations and three dimensional images, and I am satisfied that the drawings submitted adequately represent the proposed development. I am not concerned that the privacy of the adjacent dwelling will be unduly impacted upon by the proposed development for a variety of reasons, including:

- The proposed community centre will be located approximately 44 metres from the front elevation of the appellant's property to the north west. The existing community building is approximately 27 metres away.
- Though the finished floor levels and forecourt of the building will be about a metre above the level of the appellant's garden, based upon my observations it is not possible to see the interior of the dwelling given the distances involved, the deflected views and the quarter light design of the cottage windows. In addition, the views to the garden are obscured by mature vegetation. In this regard, I note that the applicant initially detailed a 1.5 metre high wall and screen planting, however, this has now been omitted.

I do not consider that users of the community centre that gather outside the building will adversely impact upon the privacy of the appellant's property by way of overlooking. There may be an increase in usage of the community hall and its ancillary facilities. I do not think however, that gatherings will have the potential to create a noise nuisance and so a condition to restrict noise generation is

unnecessary. In order to ensure that the residential amenity associated with the appellant's dwelling is maintained, I would recommend that the screen wall and hedging which was proposed on the original plans should be included in a revised landscape layout. This would require a revised landscape design to the front of the community centre in conjunction with the proposed on street car parking. The wall should be low level and incorporate hedging to assist with the purpose of screening and integration of the building into the landscape.

7.3.5. I do agree that the views from the appellant's property will be changed and a new and larger building will become visible from a variety of vantage points on the appellant's overall property. The greatest impact to views from the property will be experienced from the eastern garden. At present there are glimpsed views from the garden to the existing community building and the low hills beyond, but these views will change once that building is removed. To a lesser extent portions of the new community centre will be visible from a hall/open plan area window on the south eastern elevation of the appellant's dwelling. Irrespective of the changed views, the new community building will be set a greater distance from the appellant's property than the current building, approximately 44 metres. In addition, the design approach of the proposed building has been to break up the front elevation and present a series of roof profiles. Given the scale and massing of the proposed community centre combined with its distance from the appellant's property, however, I do not anticipate any overbearing appearance will result. There will be no direct impacts to the residential amenity of the existing dwelling and its gardens by the proposed development.

7.3.6. I do, however, think that the combination of smooth plaster and natural stone finish is uncharacteristic of the area. The majority of vernacular buildings on the island tend to exhibit a single building finish, mostly smooth plaster or some natural stone buildings, depending upon the exigencies of the climate rather than aesthetic considerations. I agree with the appellant that the design principles illustrated in the Cork Rural Design Guide, are a useful reference document for guiding other buildings in the countryside. Notwithstanding the design merits of the proposed community building, it will be positioned in a recessed site context, it has a relatively simple form and a roof profile which is broken up. It is, therefore, a broadly acceptable form of development from a design perspective. The palette of building

finishes associated with a building of such a simple form is important, particularly given its community function. I recommend the omission of the natural stone finish and replacement with smooth plaster finish. Suitable natural stone extracted from the site should be used in any screen walls as part of a coordinated landscape plan. In addition, I recommend the omission of PVC windows and the use of timber framed windows to match the proposed timber entrance door.

7.4. Wastewater Treatment

- 7.4.1. The proposed development is accompanied by a site suitability assessment for a secondary and tertiary wastewater treatment plant prepared by Denis O'Sullivan and Associates Consulting Engineers. The report notes that the site of the system is located within 50 metres of a stream/watercourse and within 50 metres of beaches/shellfish. The report recommends the use of a packaged wastewater treatment system with polishing filter and discharge to ground water, with a design capacity of 3 PE. I note that Council officials (Ecologist and Area Engineer) accept the suitability of the proposed wastewater treatment system based on the premise that it is an improvement on the current situation, despite its location close to the foreshore and less than distances recommended by the Environmental Protection Agency.
- 7.4.2. For clarification, I note that the Environmental Protection Agency's Wastewater Treatment Manuals - Treatment Systems for Small Communities, Business, Leisure Centres and Hotels, does not provide separation distances with regards to features such as beaches. I do note, however, that the Code of practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10), under table 6.1 Minimum Separation Distances in Metres, states a minimum of 50 metres from lake or foreshore. The standards for single houses were applied in Condition 18 of the Notification to Grant Permission and this is a valid approach given the scale of the proposed development and its predicted usage. The entire site is within 50 metres of the foreshore and would not comply with minimum separation distances.
- 7.4.3. I am concerned that failure to meet guideline separation distances could result in an increased probability of environmental pollution. I am, however, aware, that the existing community centre currently avails of a septic tank located on the foreshore and for all intents and purposes untreated foul water inevitably drains to Kinish

Harbour. A situation which is not environmentally acceptable, but one which can continue unabated as long as the existing community centre operates on its current 99 sq.m. footprint. The proposed wastewater treatment system and polishing filter will address this issue.

- 7.4.4. The EPA Code of Practice with regards to single houses provides advice on the matter of separation distances. The minimum separation distances that should be used in the visual assessment are set out in Table 6.1. These apply to all on-site domestic wastewater treatment systems. If any of these requirements cannot be met, the advice is that on-site domestic wastewater systems cannot be developed on the site. The proposed wastewater system will serve a community centre and not a domestic dwelling. Furthermore, the environmental gain of tertiary treated wastewater discharging to groundwater and eventually entering Kinish Harbour, rather than untreated foul water, as is the case now, also needs to be considered.
- 7.4.5. I am, therefore, in agreement with Council Officials that the proposed development is an improvement on the existing situation. I also conclude that the proposed development will accord with Objective DB-01 (j) of the LAP, insofar as adequate regard has been had to any cumulative impacts on the water quality of the Roaringwater Bay and Islands Special Area of Conservation. I do, however, recommend the attachment of a condition with specific reference to the polishing filter, installation and maintenance.

7.5. Re-use of existing buildings

- 7.5.1. The appellant makes interesting points with regards to the concept of re-using buildings for community use. I accept the consensus view from appellant and applicant that the existing building has deteriorated to the point that its refurbishment and upgrading would be uneconomical. I note also that there is a national school in the vicinity and see merits in the community use of this building. Quite aside from how this could be achieved, there is a planning imperative to keep a purpose built school available for the population of the island. Judging from the material submitted with the planning application and the appeal, it is evident that the Sherkin Island Development Society Ltd has given consideration to alternative sites over a period of time. The proposal before the board is the culmination of their efforts to provide a new community hall, library, dispensary and office space for the island. It is the

suitability or otherwise of the subject development which I have assessed and I have not considered alternative buildings that may or may not be available to the community.

7.6. Procedural Issues

- 7.6.1. The appellant has concerns that their observation letter (dated 13 July 2016) to the Council was not taken into account in the final decision. I can see from documentation on the file that the Senior Planner made additional comments on the report of the Area Planner, specifically in the context of the third party observer to the further information submission. The Senior Planner's report responds to each of the issues raised by the observer and I am satisfied that no further action with regard to procedural issues is warranted. In any case, all the matters that are of concern to the appellant have been raised in their grounds of appeal.

7.7. Planning authority issues

- 7.7.1. I note that the planning authority submitted a detailed response submission with regard to the grounds of appeal and clarified matters with regard to the timing and consistency of the preparation of reports and determination. I have already examined these matters in section 7.6 above. The comments are useful in the overall context of my assessment and I consider it appropriate to repeat certain conditions where I think it relevant. Specifically, I consider the timely removal of the existing community building to be an important element in ensuring that the development is properly managed. To clarify the extent of the permission and to ensure that the site is not occupied by two buildings simultaneously, a timeframe for demolition and completion should be agreed prior to the commencement of development. In addition, the biodiversity value of the lands surrounding the site are important elements to protect and measures such as boundary planting or fencing should be shown on landscape plans.

7.8. Appropriate Assessment

- 7.8.1. As indicated at Section 5.2 above Sherkin Island for the most, part including the majority of area within which the appeal site is located, is within the Roaringwater Bay and Islands SAC (Site Code 000101). Objective DB-01(m) of the Sherkin Island LAP seeks to protect the favourable conservation status of this site, and all new development shall be designed to ensure the protection and enhancement of

biodiversity generally. To this end a Habitat Directive Screening Report was requested as further information and duly submitted to the Planning Authority. The report was prepared by Sorcha Sheehy BSc PhD Ecology Consultant. The report concludes that there were no qualifying habitats or species recorded within or in the immediate vicinity of the site and no resultant direct impact within the Natura 2000 site.

7.8.2. The boundaries of the Roaringwater Bay and Islands SAC in the vicinity of the site are formed so as to omit a portion of the site of the existing community hall. The remainder of the overall site is located within the SAC. I note the contents of the AA Screening Report which accompanied the application and the comments of the Council's Ecologist. According to the National Parks and Wildlife Service the relevant Conservation Objectives for this site in the overall context of the SAC are as follows:

- To maintain the favourable conservation condition of Large shallow inlets and bays in Roaringwater Bay and Islands SAC.
- To maintain the favourable conservation condition of European dry heaths in Roaringwater Bay and Islands SAC.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

Given the long established use of the site as a community hall I consider that the site does not support qualifying features that would correspond to annexed habitats for which the SAC is designated, in this instance European dry heath. This is due to its present condition and lack of positive indicator plant species such as heather, bell heather and Western gorse. In addition, the proposed development which includes the installation of a wastewater treatment system in place of a septic tank on the foreshore will not have a negative impact upon the permanent habitat area of the large shallow inlets and bays located to the north. Irrespective of the mapped

boundary for the SAC, I consider that in reality the red line boundary of the appeal site, more realistically reflects the situation on the ground in terms of excluding the site from the SAC. Finally, I note that the most important impacts and activities with high effect on the SAC originate from marine and freshwater aquaculture, fishing, fire and fire suppression and to a lesser extent non intensive grazing. Human intrusions and disturbances represents a low threat and pressure inside the site. In this instance the proposed development is not classified as a threat, pressure or activity which would negatively impact upon the SAC.

- 7.8.3. Having walked the entire site, I note that the existing community hall was built on a site cut form the existing hillside. For the most part the site is given over to the building itself, ancillary temporary buildings, an informal parking forecourt and yard. The remainder of the site, having been recently cleared comprises grass, some bracken and rocky outcrops. The landscape to the east of the site is low hillside with liberal amounts of gorse. The proposed development will involve the demolition of the existing building on site and the decommissioning of the existing septic tank on the foreshore. There will be a reduced amount of rock excavation to accommodate the new building as a result of further information submitted by the applicant. There will be an increase in the number of hard surfaces once construction is completed. The porosity of the access road and associated landscaping should conform to sustainable urban drainage principles (SUDs) as outlined by Objective DB-01 (k) of the LAP and an appropriate condition should ensure this.
- 7.8.4. Taking into consideration the small scale nature of the development as proposed, the condition and characteristics of the existing community centre site, the provision of a secondary and tertiary wastewater treatment plant, and notwithstanding the proximity of the surrounding Roaringwater Bay and Islands SAC, it is reasonable to conclude on the basis of the information available, which I consider adequate in order to issue a screening determination, that the proposed development, individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and in particular specific site number 000101, in view of the sites' conservation objectives. An appropriate assessment (and submission of an NIS) is not therefore required.

8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Skibbereen Electoral Area Local Area Plan 2011 (2nd Edition January 2015) with reference to the objective to support the provision of a multi-purpose community, art, health, indoor sports, crèche centre, to the design and scale of the proposed community hall and the provision of a wastewater treatment system, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 28 day of June 2016, 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 natural stone finish to the western elevation shall be omitted and replaced with a smooth plaster finish to match the remainder of the building.

(b) All PVC windows and doors shall be omitted and replaced with timber framed windows to match the main timber entrance door.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

3. Details concerning the phasing strategy for the development including the timely removal of the existing community hall, ancillary buildings and septic tank after the first use/occupation of the proposed community hall shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity.

4. The external walls of the Community Hall shall be finished in neutral colours such as grey or off-white.

Reason: In the interest of visual amenity.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

6. 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, hedging and shrubs within the site and to its boundaries and shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.

(ii) Hard landscaping works shall accord with sustainable urban drainage

principles, specifying surfacing materials and finished levels.

(b) Screen hedging shall be established in front of the western elevation of the proposed community hall, between parking area and front building line.

(c) Retaining and screen walls shall not exceed 1.2 metres in height and shall be faced in suitable natural stone arising from excavation works.

(d) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.

(e) A timescale for implementation including details of phasing.

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.

7. No development shall take place until details of earthworks have been submitted to, and agreed in writing with, the planning authority. These details shall include the following:

(a) Soil and subsoil cross-sections.

(b) Plans and sections showing the proposed grading and mounding of land areas, including the levels and contours to be formed.

(c) The relationship of the proposed cut and mounding to the existing vegetation and surrounding landform on the lands to the north, east and west.

Development, including landscaping required by condition number 6 of this order, shall be carried out in accordance with the approved earthworks plan.

Reason: In the interest of residential and visual amenity.

8. Site development and building works shall be carried out only between the

hours of 0800 to 1900 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. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

10. (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 6 day of November, 2016, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.

(b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.

(c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first use of the community hall and thereafter shall be kept in place at all times.

Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

(d) Surface water soakways shall be located such that the drainage from the community hall and paved areas of the site shall be diverted away from the location of the polishing filter.

(e) Within three months of the first use of the community hall, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

12. 3 number bicycle parking spaces shall be provided within the site. The layout and demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

Stephen Rhys Thomas
Planning Inspector

21 November 2016