

**CORK COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 - 2010
NOTIFICATION OF DECISION TO GRANT Permission**

Reference No. in Planning Register **17/06012**

In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated **25/09/2017** decided to **GRANT Permission** for the development of land namely:

To construct a single storey dwelling, garage, sewage treatment unit with percolation area, entrance & ancillary works.

At: Marshalstown, Mitchelstown, Co.Cork

In accordance with the plans and particulars submitted by the applicant

On: 02/08/2017,

And subject to the conditions (22no.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of **FOUR WEEKS** beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED)

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála. It should be noted that until a grant of Permission has been issued the development in question is **NOT AUTHORISED**.

Signed on behalf of the said Council

Pio Treacy

Pio Treacy
Administrative Officer

Date: 26/09/2017

SEE NOTES ATTACHED

Please note that pursuant to S.34(3) of the Act, the Planning Authority was advised of all representations or observations received in accordance with these Regulations.

In accordance with Article 20, site notice shall be removed on receipt of this notice.

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SECOND SCHEDULE

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on the 2/8/17, save where amended by the terms and conditions herein.	In the interests of clarity.
2	(1) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter, unless consent is granted by the Planning Authority for its occupation by other persons who belong to the same category of housing need as the applicant. Before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, the applicant shall enter into a written agreement with the Planning Authority under Section 47 of the Planning and Development Act, 2000 to this effect. (2) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the Planning Authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (1) and the date of such occupation. This condition shall not affect the sale of the dwelling by a mortgagee in possession or by any person deriving title from such a sale.	To ensure that the proposed dwelling is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.
3	Roof covering shall be slate or flat tile coloured dark grey or blue black to the satisfaction of the Planning Authority.	In the interests of visual amenity.
4	All external walls of proposed dwelling shall be uniformly finished in a neutral shade of painted plaster.	In the interests of visual amenity.
5	Any stone finish of dwelling shall be of natural stone indigenous to the vicinity of the site. Details of the type of stone to be used shall be agreed in writing with the Planning Authority prior to the commencement of development.	In the interests of visual amenity.
6	The windows of the proposed dwelling shall be of stained or painted timber or dark uPVC construction.	To ensure satisfactory architectural standards in the interests of visual amenity.

7	All facia and soffits and rainwater goods shall be dark in colour.	To ensure satisfactory architectural standards in the interests of visual amenity.
8	The site shall be landscaped and planted in accordance with a comprehensive scheme to comprise predominantly native species and varieties and to include: [a] details of screen planting (which should not comprise of cupressocyparis leylandii nor grisellinia in rural situations) [b] species, variety, number and locations of trees and shrubs [c] programme for implementation and maintenance of the scheme. Full details shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.	In the interests of visual amenity.
9	The garage shall be used only for domestic purposes ancillary to the dwelling house on site and shall not be used for the carrying out of any trade, business or for human habitation.	In the interests of clarity and residential amenity.
10	Entrance shall be recessed a minimum of 4.5m from front boundary fence and side walls shall be splayed at an angle of 45 dgs. and walls and piers shall not exceed a height of 1.6m over the level of the adjoining public road.	To provide proper sight distance for emerging traffic in the interests of road safety.
11	Gates shall open inwards.	In the interests of road safety.
12	Side walls and piers of entrance and any new road boundary shall be of: (a) natural stone (b) sod and stone or (c) earth berm with hedge or indigenous species planted on top at 60cm intervals	In the interests of visual amenity.
13	Entrance recess between public road edge and entrance gate shall be set level with public road surface edge to the Planning Authority's satisfaction and shall not extend beyond road surface edge.	In the interests of road safety.
14	Sight distance of 70m to the east and 70m to the west shall be provided from centre point of entrance 3m back from public road edge. No vegetation or structure shall exceed 1m in height within the sight distance triangle.	To provide proper sight distance for emerging traffic in the interests of road safety.
15	Any utility poles currently within the roadside boundary set back required by other conditions of this schedule shall be repositioned behind the new boundary, and any surface chambers or manholes within it shall be	To protect existing utility infrastructure.

	repositioned in a location or at a level to be agreed with in writing Planning Authority. The applicant shall be responsible for the costs of relocating these facilities, for notifying the relevant statutory undertakers, for obtaining any necessary licenses, and for notifying the Planning Authority of the revised locations of such utilities, prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.	
16	Surface water shall be disposed of within the site by means of soakaways and shall not be allowed to flow onto public road.	To prevent the flooding of the public road.
17	Existing road drainage shall not be obstructed and any new entrance shall be designed and constructed to ensure the uninterrupted flow of road surface run-off.	To maintain proper roadside drainage and to prevent the flooding of the public road.
18	Foul drainage shall be by means of a proprietary wastewater treatment system. This treatment unit and percolation area shall meet all the requirements of the Code of Practice, Wastewater Treatment Disposal Systems Serving Single Houses (i.e. + 10) EPA 2000 and shall be installed and maintained in accordance with the manufacturers instructions.	In the interests of public health.
19	The wastewater treatment plant referred to in condition No. 18 shall be operated and maintained to the satisfaction of the Planning Authority and before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, written evidence of a maintenance contract to ensure the continuous operation of the treatment plant shall be submitted and agreed with the Planning Authority.	In the interests of public health.
20	Prior to the commencement of development the developer shall enter into a connection agreement with Irish Water in relation to the development.	In the interests of orderly development.
21	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of €2798.88 to Cork County Council in respect of public	It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48

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	<p>infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 19/9/17, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.</p>	<p>of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.</p>
22	<p>The applicant is required to engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930–2004) to carry out archaeological testing across the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist is required to notify the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht (DCH&G) in writing at least four weeks prior to the commencement of site preparations. Having completed the work, the archaeologist shall submit a written Planning Authority and to the National Monuments Service (DCH&G) for consideration. Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required and the Planning Authority and National Monuments Service of (DCH&G) will advise the Applicant/Developer with regard to these matters. No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the Planning Authority in consultation with National Monuments Service (DCH&G) .</p>	<p>In the interests of preserving these works and orderly development.</p>

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