

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork City**

**Planning Register Reference Number: T.P. 16/36758**

An Bord Pleanála Reference Number: PL 28.246522

**APPEAL** by James Whelan and Eileen Hyde of Number 8 Hillside Drive, Glasheen, Cork against the decision made on the 8<sup>th</sup> day of April, 2016 by Cork City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of outhouse for domestic use for an indefinite period in the rear garden of Number 8 Hillside Drive, Glasheen, 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.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the policies and provisions of the Cork City Development Plan 2015 - 2021, and to the pattern of development in the vicinity, and having regard to the proposed use of the subject outhouse, it is considered that, subject to compliance with the conditions set out below, the development for which retention has been sought would not seriously injure the amenities of the area or of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In not accepting the recommendation of the Inspector to refuse permission, the Board considered that the subject development did not have an overbearing impact on adjoining properties and would not be likely to seriously injure the residential amenities of neighbouring properties. The Board further considered that the use of the development could be appropriately regulated through the imposition of conditions, and would not conflict with the applicable provisions of the Cork City Development Plan.

## **CONDITIONS**

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the planning authority, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. The use of the outhouse shall be limited to uses incidental to the enjoyment of the adjacent dwellinghouse as such, and shall not be used for any commercial or business purpose. It shall not be used for human habitation, and no sanitary facilities shall be provided within the outhouse.

**Reason:** In the interest of residential amenity.

3. All storm runoff from the subject development shall be retained on site. Within three months of the date of this order, full details and supporting calculations for soakaways to cater for such run off shall be submitted to, and agreed in writing with, the planning authority. The developer shall provide the agreed facilities in this regard within three months of notification by the planning authority of its written agreement.

**Reason:** In the interest of proper drainage.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**