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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/05805**

**Appeal** by Shane O’Sullivan of 1 Maryville, Church Hill, Passage West, County Cork against the decision made on the 3<sup>rd</sup> day of September, 2018 by Cork County Council to grant subject to conditions permission to Ricky Higgins care of Niall Skehan and Associates of 4 Charlotte Place, Glenbrook, Passage West, County Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of existing adjoining garage/workshop and the construction of a two-storey granny flat dwelling and associated site works at 1 Convent Lane, Church Hill, Passage West, 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.**

**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 Town Centre Zoning of the site, as set out in the Cork County Development Plan 2014-2020, to the pattern of development in the area, to the planning history and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or the character of the Architectural Conservation Area and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the planning authority and considered that the proposed development was adequately described and that subject to the conditions attached would be acceptable in terms of the proper planning and sustainable development of the area. Furthermore, the proposed development is subject to the provisions of section 34(13) of the Planning and Development Act 2000.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 following amendments shall be made to the proposed development;
  - (a) The west facing windows in bedroom number two shall be omitted and replaced with a window in the southern elevation.
  - (b) The Landing window shall be finished in opaque glass.
  - (c) The car space in the rear garden shall be omitted and the garden shall be used as private open space only.
  - (d) A revised boundary treatment shall be designed for the rear garden.

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

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

- 3 This permission does not include consent for the two car parking spaces shown in the adjoining property (outlined in blue) as shown on the drawings submitted with the planning application to the planning authority on the 10<sup>th</sup> day of July, 2018.

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

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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**