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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 19/05169**

**Appeal** by David and Marie O'Brien care of John MacCarthy of 16 Mary Street, Cork against the decision made on the 2<sup>nd</sup> day of July, 2019 by Cork County Council to grant subject to conditions a permission to Lorraine and Michael Sheehy care of CMG of Haus Bergsee, Hillside, Aghada, Midleton, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention and completion of alterations to elevations, extension and change of use of detached domestic garage to a granny flat and all associated site works at 13 Castle Gardens, Station Road, Shean Upper, Blarney, 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 scale, nature and design of the development to be retained and completed and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the development to be retained and completed would not seriously injure the amenities of the area or of property in the vicinity by reason of overlooking or loss of privacy, and would be in accordance with the provisions for ancillary family accommodation in granny flats, as set out in the Cork County Development Plan, 2014. The development to be retained and completed would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained 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 recommencement of development and the development shall be retained and completed in accordance with the agreed particulars.

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

2. The proposed granny flat shall be used for purposes ancillary to the main dwelling only. The granny flat shall be occupied solely by a member(s) of the immediate family of the occupier of the main dwelling. The granny flat shall not be sold or let independently of the main house and, when no longer required for use as a granny flat, shall revert to use for purposes incidental to the enjoyment of the dwellinghouse.

**Reason:** In the interests of clarity and residential amenity.

3. The external finishes of the granny flat shall be the same as those of the existing dwelling in respect of colour and texture.

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

4. There shall be no subdivision of the private rear amenity space.

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

5. Within two months of the date of this Order, details of additional boundary treatment along the eastern boundary (adjoining number 14 Castle Gardens) shall be submitted for the written agreement of the planning authority. The additional boundary treatment shall be completed prior to the first occupation of the accommodation unit.

**Reason:** In the interest of protecting the amenities of adjoining property.

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

**Dated this            day of            2019.**