



Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 19/06270

APPEAL by Christian Jeuken of 33 Lower Middleton Road, Kilgarvan, Cobh, County Cork against the decision made on the 9th day of April, 2020 by Cork County Council to grant subject to conditions a permission to Aaron Keogh care of Michael G. Cummins of 63 Saint Mary's Road, Middleton, County Cork.

Proposed Development: To erect a single storey, one bedroomed dwelling unit. The development will include works to protect the remaining masonry walls of a ruined dwelling unit on the site, together with all ancillary site development works, all on a site at the rear of 32, 33 and 34 Lower Middleton Street, Cobh, County Cork.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 restricted location and very limited scale of the site in question, which is surrounded by overbearing walls of substantial height on two sides and notwithstanding the modest scale of the dwelling, it is considered that the proposed development would comprise overdevelopment of the site which, by reason of its proximity to the site boundary, would have a detrimental impact on the residential amenity of future occupants of the proposed dwelling unit, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that, while the modifications to the proposed development to address the grounds of appeal in terms of impact on adjacent residential amenity, overshadowing and noise disturbance were acceptable, the design and siting of the dwelling within the very restricted site did not overcome the significant negative impact to the residential amenity of the future occupants of the proposed dwelling unit.

Dave Walsh

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

Dated this day of 2020