



Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 20/05994

APPEAL by DNCF Limited care of RDF Architects and Planning Limited of Unit 19, Charleville Town Centre, Charleville, County Cork against the decision made on the 6th day of November, 2020 by Cork County Council to refuse permission.

Proposed Development: Retention of the partial demolition of existing derelict shed and permission for the following: a) demolition of the remains of an existing derelict shed, b) construction of a two-storey building comprising of one number one bed apartment at ground floor and one number one bed apartment at first floor level, each with own private open area terrace/balcony and associated screening, two number roof lights to rear, rear boundary wall and all associated site works at Shoulders Lane, (to rear of number 6 Fair Street East), Mallow, 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 poor quality of open space serving the ground floor apartment, which would be over-sailed for the majority of its depth and width by the balcony structure serving the first floor apartment, with consequent adverse impact on the usability of this open space and on the light penetration into the ground floor apartment, and also having regard to the modest net usable floorspace of approximately 41 square metres for the first floor apartment, it is considered that the proposed development would constitute a substandard form of development which would seriously injure the amenity of prospective occupants. The proposed development and the development for which retention permission is sought, would fail to establish a satisfactory standard of residential amenity for future residents and would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

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

Dated this day of 2021.