



Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 21/05077

APPEAL by Gillian Geasely care of Sean R. McCarthy Consulting Engineers Limited of Drimnamore, Sneem, County Kerry against the decision made on the 23rd day of May, 2022 by Cork County Council to grant subject to conditions a permission to Mike O’Riordan care of Wiggins and Associates of 5 Main Street, Lisgould, Midleton, County Cork.

Proposed Development: Construction of a new split-level boathouse and associated site works at Rathcoursey West, Midleton, County Cork, as revised by the further public notices received by An Bord Pleanála on the 31st day of January, 2023 which included notice of a Revised Natura Impact Statement.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. On the basis of the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the application has been made by a person who has:
 - (a) sufficient legal estate or interest in the land the subject of the application to enable the person to continue the existing use of, or carry out the proposed works on the land, or
 - (b) the approval of the person who has such sufficient legal estate or interest.

In such circumstances, it is considered that the Board is precluded from giving further consideration to the granting of permission for the development the subject of the application.

2. The proposed development, due to its height and bulk, would detract to an undue degree from the rural character and scenic amenities of the area and would constitute an undesirable precedent for development of this nature in a scenic, sensitive coastal landscape.



Liam Bergin

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



Dated this 11 day of September 2023