



An
Bord
Pleanála

Board Direction
PL28.247455

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 3rd 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the policies and objectives of the Cork City Development Plan 2015 - 2021, to the city centre location of the development and the existing pattern of development in the area, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, that the proposed development would not seriously injure the residential or visual amenities of the area, would not damage the archaeological heritage of the site, would not detract from the North Main Street Architectural Conservation Area, and would not conflict with the setting of Recorded Monuments and with the medieval street pattern in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 2nd

day of September 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, the developer shall agree such details 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 proposed development shall be used solely for the purposes outlined in the particulars submitted to the planning authority, that is, temporary residential accommodation for clients of the applicant. No other use (including other forms of residential usage) shall take place without a separate planning permission for change of use.

Reason: In order to delimit the use of the development that is authorised by this permission to that for which application was made, and to allow the planning authority to consider the acceptability of any other form of use through the statutory planning process.

3. The proposed development shall be modified as follows:-

(a) The proposed vertical timber fins on the elevations of the stairwells at first, second and third floors shall be omitted and shall be replaced by fully opaque glazing.

(b) The proposed stairwell glazing at first, second and third floors on the north-eastern elevation shall be opaque.

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

Reason: In order to prevent undue overlooking of adjacent property, in the interest of residential amenity.

4. Prior to commencement of development an operational and management plan for the hereby permitted use shall be submitted to, and agreed in writing with, the planning authority. This plan shall include comprehensive details of the management of the facility which shall include:-
 - operational hours of the facility
 - maintenance of building and external spaces
 - noise reduction measures
 - security
 - procedures to address anti-social behaviour off-site and on-site

Reason: In the interest of protecting established amenities in the local area.

5. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development and the visual amenities of the area.

6. The flood mitigation measures outlined in the Flood Risk Assessment, submitted to the planning authority on the 2nd day of March 2016, shall be carried out.

Reason: In order to protect the development, and adjoining area, from the risk of flooding.

7. Full details of the vehicular and pedestrian access to serve the proposed development, including details of the manner in which it is proposed to reconfigure the car parking spaces in the adjoining public car park in order

to allow for access to the development and to adjoining property, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The full costs of such reconfiguration shall be borne by the developer.

Reason: In the interests of pedestrian and vehicular safety.

8. CMP 1

9. (a) All foundations of the proposed new buildings shall be provided in accordance with the archaeological assessment reports submitted with the application (that is, raft foundations with piling). All site preparation, foundation and construction works shall be carried out under the supervision of, and subject to the direction of, a professionally qualified archaeologist licensed under the National Monuments Acts 1930-2004.
- (b) Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the local authority with regard to any necessary mitigating action (e.g. preservation in situ, and/or archaeological excavation). The developer shall facilitate the archaeologist in recording any material found.
- (c) The Planning Authority shall be furnished with a report describing the results of the monitoring and any archaeological investigations.

Reason: To ensure the continued preservation (either in situ or by record) of sites, features or other objects of archaeological interest, having regard to the archaeological sensitivity of the subject site.

10. Water supply and all drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

11. As PA condition no. 10

Reason: In the interest of pedestrian and traffic safety.

12. Details of any signage for the development shall be submitted to, and agreed in writing with, the planning authority. No signage shall be erected above ground floor level on any part of the development.

Reason: In the interest of visual amenity.

13. Other than the solar panels shown on submitted drawings, and notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no additional development shall take place at roof level, including any lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to permit the planning authority to assess any such development through the statutory planning process.

14. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

Note: Please include, in the letter with the Board Order, a reminder of the provisions of Section 34(13).of the Act.

Board Member

Date: 3rd March 2017

Philip Jones