



An
Bord
Pleanála

Board Direction
BD-007536-21
ABP-308404-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/02/2021.

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

Reasons and Considerations

1. Having regard to the location of the site adjacent to Dennehy's Cross which is zoned as a Local Centre in the current Cork City Development Plan and where the pattern of development of the street block is characterised by a varied but distinctive built form, including a key landmark building and two-storey residential properties, the proposed development, by reason of its excessive height and scale, inappropriate layout and design, would result in a visually obtrusive development which would overwhelm the landmark building and two-storey houses, would detract from the character of the streetscape and would fail to positively contribute to the designated 'Local Centre'. The proposed development would, therefore, conflict with the provisions of the Urban Development and Building Height Guidelines 2018 and the objectives of the Development Plan for the area, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its height, scale, massing and layout, including the close proximity of the two blocks on a limited site area, would result in a substandard level of accommodation and poor quality of amenity

space which would give rise to serious injury to the residential amenities of the future occupants of the apartment blocks and to the adjoining residential properties by reason of overlooking, overshadowing, an overbearing presence and noise and disturbance. The proposed development would, therefore, represent overdevelopment of a restricted site which would fail to comply with the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities 2020, would seriously injure the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the site adjoining the Church of the Descent of the Holy Spirit, which is Protected Structure and is which designated as a key landmark building of architectural and cultural significance within the locality which is the subject of protected views in the current Cork City Development Plan, it is considered that the construction of the two proposed apartment blocks in close proximity to the church, by reason of excessive scale, height, mass and bulk, would dominate and obscure views to and from the church building including its distinctive dome and twin towers, which would adversely affect the character and setting of the Protected Structure and its relationship with the surrounding area of which it forms an integral part. The proposed development would, therefore, conflict with the DoELG Guidelines for Planning Authorities on Architectural Heritage Protection 2004, (re-issued in 2011), would detract from views of a landmark structure within the locality and would be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 15/02/2021

Terry Prendergast

Note: The Board also considered that that there was insufficient justification submitted as part of the planning application relating to the absence of on-site car parking

spaces, in addition to a lack of drop-off areas, parking bays for visitors and mobility impaired residents and loading spaces within the curtilage of the site and a lack of clarity, notwithstanding Drawing No 4095 Sk-040 submitted with the appeal, regarding integration of the proposed development with potential future transport proposals. As such, the Board considered that the proposed development would be seriously deficient in this regard and would also be inadequate to cater for the parking demand generated by the proposed development, thereby resulting in haphazard parking on the adjoining streets and residential areas. The proposed development would, therefore, be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity of the site and, as such, would be contrary to the proper planning and sustainable development of the area.

Please issue Direction with Order.

Board Member

Date: 15/02/2021

Terry Prendergast