

An
Bord
Pleanála

Board Direction
BD-019025-25
ABP-321289-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/02/2025.

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

Reasons and Considerations

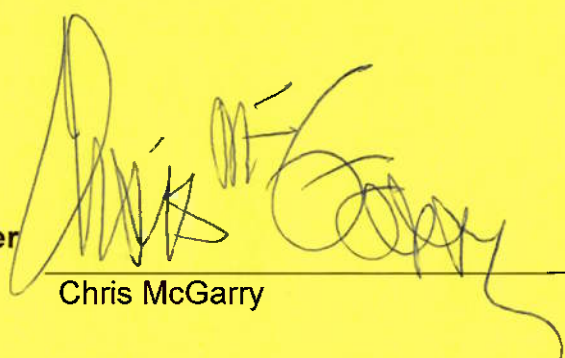
1. Having regard to the zoning of the subject site as ZO 05, City Centre and Core Retail Area and to section 11.189 of the Cork City Development Plan 2022-2028, it is considered that the amalgamation of 4 former individual retail units to an enlarged betting office, would seriously injure the vitality and viability of the city centre by virtue of the loss of these historic shopfronts on the streetscape and the negative visual impact of its setting of the Protected Structure within a designated Architectural Conservation Area. It is considered that the proposed development would be contrary to paragraph 11.189 of the City Development Plan 2022-2028 with regard to safeguarding the vitality and viability of mixed-use centres in the city and maintaining a suitable mix of retail and other uses. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the application and appeal which confirms significant interventions in the fabric of the protected structures, but where the level of detail as set out in the plans, elevations and sections in particular is insufficient to provide a precise description of the nature of such interventions especially with regard to the proposed residential units, the Board cannot be satisfied that the proposed development by reason of works and alterations would not result in a significant negative impact on the character, or would not seriously injure the physical and visual architectural integrity, of 9A-13 Castle Street (ref. PS1039) and 1-7 Paradise Place (ref PS1011), both of which are included in the Record of Protected Structures and are located in a designated Architectural Conservation Area. In this regard, it is considered that a grant of permission for the proposed development would not be in accordance with Policy Objective SO7 of the Cork City Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: the Board noted and shared the opinion of the inspector that apartment number 6 appears to have limited access to daylight and sunlight and that no detail regarding bin storage and bicycle storage for the residential units has been provided. These are important points and ordinarily would warrant at the least, further consideration. However, given the substantive reasons for refusal and the fact that these issues might be considered new it was decided not to pursue these issues in the context of the current appeal.

The Board also noted the recommended reference to material contravention of Objective SO 7 as set out in the inspector's reason number 2 for refusal. The Board determined that on the basis of the information submitted with the application and appeal that significant interventions would arise within the protected structures and it would not be in accordance with objective SO 7 to grant permission for the proposed development as submitted. Fundamentally the absence of sufficient detail across the works and interventions to the protected structures, as expressed in the inspector's report constitutes a fatal flaw in the application documentation and the Board agreed with the inspector on this point. However, the Board considered that subject to submission of clear, sufficient architectural and conservation detail on future plans and particulars, that development of the protected structures to accommodate residential development could be countenanced, subject to a separate consent exercise.

Board Member

A handwritten signature in black ink, appearing to read 'Chris McGarry', is written over a horizontal line. The signature is stylized and cursive.

Date: 25/02/2025