

An
Coimisiún
Pleanála

Direction
CD-021658-26
ACP-323597-25

The submissions on this file and the Inspector's report were considered at a meeting held on 07/01/2026.

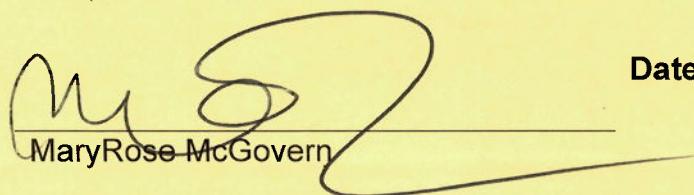
The Commission decided to make a split decision, to

- (1) grant permission, subject to conditions, to
 - (a) convert existing public house to three residential units (2 no. 2 bed and 1 no. 1 bed) each with own door access to the street,
 - (b) demolish part of the ground floor of the public house, provide a central arched pedestrian entrance to access a central courtyard,
 - (c) raise the ridgeline to the rear of the existing roof to allow for habitable accommodation,
 - (d) demolish existing extension to the rear of no. 8 Connolly Street.
- for the reasons and considerations marked (1) below and subject to the conditions set out below, and
- (2) refuse permission for the demolition of an existing outbuilding (rear store) to the rear of the site and the construction of a 4-storey building with two apartments on each floor, and all associated site works.

for the reasons and considerations marked (2) below.

Planning

Commissioner:



MaryRose McGovern

Date: 09/01/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations (1)

Having regard to the location of the site within an area zoned TC (Town Centre/Neighbourhood Centre) by the Cork County Development Plan 2022-2028, which seeks to promote the development of town centres and neighbourhood centres, and states that residential development will also be encouraged, and also having regard to section 4.9.11 of the Plan (Brownfield Sites and Regeneration) which states that the use of existing building stock is also a key element of urban regeneration, it is considered that subject to compliance with the conditions set out below, the proposed development would provide for an appropriate reuse of vacant buildings within an Architectural Conservation Area, would not be prejudicial to amenity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. a) The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars received by the planning authority on the 18th day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.
- b) A total number of three residential units are hereby permitted in this development, comprising two no. 2 bed and 1 no. 1 bed units.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the applicant/developer shall submit for the written agreement of the planning authority, details, specifications and/or samples of all external materials proposed for structures at No.s 8-10 Connolly Street. No uPVC/ PVC material shall be used on/in the southern (front) elevations of structures at No.s 8-10 Connolly Street. All works shall be carried out in accordance with this written agreement.

Reason: In the interest of architectural heritage and to protect the character of the Midleton Architectural Conservation Area.

3. a) The development shall be implemented in accordance with the mitigation measures (flood resistance and flood resilience measures) included in the Site-Specific Flood Risk Assessment submitted with the application, except where otherwise required by conditions attached to this permission.
b) Prior to the making available for occupation of any residential unit, the developer shall have prepared and submitted to the planning authority for its written agreement a Flood Awareness Plan, and a Flood Emergency Response Plan for the development.

Reason: In the interest of protecting the environment, public health, and clarity.

4. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

6. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health and surface water management.

7. Prior to commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. All service cable associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

9. a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to the planning authority for its written agreement, not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.

b) The OWMP shall provide for screened communal bin stores, the locations and designs of which shall be as indicated in the plans and particulars lodged within the application unless otherwise agreed in writing with the planning authority. Bin stores shall not be stored on the public footpath.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage for the proposed development.

Reasons and Considerations (2)

Having regard to the location of the site within an Architectural Conservation Area (ACA), the confined nature of the site proposed for the construction of an apartment block, Objective HE 16-18 of the Cork County Development Plan 2022-2028 (Architectural Conservation Areas) which seeks to ensure that new development within or adjacent to an ACA, contributes positively to the ACA in terms of design, scale, setting and material finishes, the Commission, in the absence of sufficient information, particularly a daylight and sunlight assessment, could not be satisfied that the proposed development would not result in an unacceptable diminution of the residential amenity of neighbouring property to the north. The proposed development would, therefore, be contrary to the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for demolition of the shed/rear store, and the construction of the apartment block, the Commission noted the revised proposal at the further information stage, reducing the proposed apartment block from 4 storeys to 2.5 storeys, with the consequent reduction from eight residential units to five residential units in the proposed apartment block. The Commission considered the principle of development to be acceptable but could not be satisfied from the information made available, that the design solution proposed, would not result in an unacceptable impact on the residential amenity of neighbouring property to the north.

The Commission noted the comments of the Department of Housing, Local Government and Heritage, and the observation in the applicant's Architectural Heritage Impact Assessment, that the removal of the return and the shed/store to rear of No. 8, would result in the loss of some historic fabric. The Commission also noted the recommendation of the Inspector for the retention, stabilisation and restoration of the existing site boundary walls, and those of the shed/rear store structure's western and northern walls. The Commission did not however share the opinion of the Inspector that the value of these intrinsic elements must remain in situ and, rather, the Commission was of the opinion that such elements could be considered in more detail as part of a revised design solution. The Commission considered that, subject to a full assessment under a separate consent exercise, a revised scheme addressing the issue set out in the reason for refusal, might be acceptable. It did not consider that the conditioning of the current proposal would be appropriate having regard to the materiality of likely elements of change which would require to be undertaken and assessed, in the event of any such revised proposal.