

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cork City

Planning Register Reference Number: T.P. 16/36779

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APPEAL by Middle Parish Community Association of 13 Patrick Hanly Buildings, Grattan Street, Cork and by Concern Worldwide of 52-55 Lower Camden Street, Dublin against the decision made on the 29th day of September, 2016 by Cork City Council to grant subject to conditions a permission to Good Shepherd Services Limited care of Reddy Architecture and Urbanism of Douglas Business Centre, Carrigaline Road, Douglas, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of the demolition of a part-single-storey, part-two-storey portion of the existing residential centre building, significant alterations to the existing including a new entrance façade, lobby and canopy fronting onto Grattan Street, construction of a new four-storey extension to the side of the existing fronting onto Coleman's Lane, two new two-storey glazed link corridors on Morley's Lane, realignment of vehicular access including new gates and railings adjacent to Coleman's Lane, together with all associated site works at Edel House, Grattan Street, Cork.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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, 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 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.

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 any 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, and
 - 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 interest of pedestrian and vehicular safety.

8. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of waste.

Reason: In the interest of amenities and public safety.

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 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 mitigation 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. The total parking supply on the site shall not exceed the maximum parking standards as set out in the Cork City Development Plan 2015-2021. The following shall apply:
- (a) The provision of a maximum of seven number car parking spaces inclusive of one number disabled parking spaces for the full development. No on road parking shall be facilitated. The detail of how the entrance/exit is to be managed such that queuing does not occur on Grattan Street will need to be agreed with the planning authority before work commences on site. Any works required to meet this condition shall be undertaken and paid for by the developer.
 - (b) The provision of high quality covered cycling parking facilities as set out in the Cork City Development Plan 2015-2021.

Reason: In the interest of 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.

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

Dated this day of 2017.