



An
Bord
Pleanála

Board Order
PL 28.248464

Planning and Development Acts 2000 to 2017

Planning Authority: Cork City Council.

Planning Register Reference Number: 16/36838.

Appeal by Alex Foley and Timothy McCarthy care of 3 Old Friary Place, Shandon Street, Cork City against the decision made on the 13th day of April, 2017 by Cork City Council to grant subject to conditions a permission to Gehad El Bastawisy care of J.E. Keating and Associates of 4, Holbar House, East Douglas Village, Cork.

Proposed Development Demolition of existing partially completed three-storey building on site, demolition of existing derelict house on Dominick Street and construction of a new three-storey three bedroom house, construction of a new ground floor retail unit, first floor consisting of five number medical consulting rooms with one number one bed apartment, second floor with one number two bed apartment and two number one bed apartments and third floor level consisting of one number two bed apartment and two number one bed apartments, a bike store, a bin store and all ancillary site works required, at 37, 38 39 and 40 Shandon Street, and Number 36 Dominick Street, Cork, as revised by the further public notice received by the planning authority on the 20th day of March, 2017.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

It is the policy of the planning authority, as set out in the Cork City Development Plan 2009-2015, that new development in Architectural Conservation Areas (ACA's) should be acceptable in terms of design, scale, materials and finishes. The Architectural Conservation Guidelines set out that where new buildings are being proposed in an ACA, the quality of design will be of paramount importance and that there is a presumption in favour of minimising the visual impact of the new structure. The proposed development is located within the Shandon Architectural Conservation Area. It is considered that, notwithstanding the changes between the present proposal and that refused by An Bord Pleanála under reference number PL 28.243161, the proposed development would continue to represent significant overdevelopment of this site. It is considered that the proposed development, by reason of scale, proportion, form, excessive bulk, multiplicity of opening sizes, overhang along Old Friary Place, flat roof and prominent mansard style zinc roof, would be out of character with its setting and the pattern of development in the area, would be domineering and visually obtrusive especially when viewed along Shandon Street, and would contravene the policy of the planning authority, as set out in the

current Development Plan for the area in relation to development within architectural conservation areas. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2017