



An  
Bord  
Pleanála

**Board Order**  
**PL 28.248998**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: T.P. 16/37209**

**Appeal** by Brian O'Mahony of 9 York Terrace, Wellington Road, Cork against the decision made on the 10<sup>th</sup> day of July, 2017 by Cork City Council to grant subject to conditions a permission to Sick and Sore Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The mooring of a vessel for use as a restaurant and hotel; modifications to the quay wall to provide gangway access and modifications to the existing footpath to provide for a vehicular set-down area and all associated ancillary development works at Penrose Quay, 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 provisions of the current Cork City Development Plan 2015-2021, the pattern of existing and permitted development in the vicinity and having regard to the information submitted as part of the planning application together with the information submitted in the appeal, the Board is satisfied that, subject to compliance with the following conditions, the proposed development generally accords with the policy requirements of the relevant plans as it relates to dockland developments, would be acceptable in principle and would not seriously injure the existing visual and general amenities of properties in the vicinity of the site or give rise to significant pedestrian, road and traffic issues. It is concluded that the development would be acceptable in terms of 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 on the 13<sup>th</sup> day of April, 2017 and the 13<sup>th</sup> day of June, 2017, 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. This permission shall be for a period of three years from the date of this order. The vessel shall then be removed unless, prior to the end of the period, permission for its retention shall be obtained.

**Reason:** To enable the planning authority to consider the impact of the development over the stated time period and in the interests of the proper planning and sustainable development of the area.

3. Prior to the mooring of the ship at Penrose Quay, the final details, including full plans and particulars of the ship, shall be submitted for the written agreement of the planning authority. The scale and capacity shall not exceed those of the plans and particulars submitted to the planning authority on the 13<sup>th</sup> day of June, 2017.

**Reason:** To clarify the permission granted.

4. The proposed set-down area, together with any amendments to the positioning of street furniture, landscaping and signage, shall be designed in accordance with the requirements of the planning authority road design section. Prior to the commencement of any development on the site, full details shall be submitted for the written agreement of the planning authority and all works shall be completed at the developer's expense, prior to the mooring of the vessel at Penrose Quay.

**Reason:** In the interests of pedestrian and traffic safety.

5. Water supply and 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.

6. No speakers or amplified music or TVs shall be located externally and noise from the development shall not exceed levels of 55dB(A) Leq 15 mins between 0800 and 2200 hours and 45dB(A) Leq 15 mins between 2200 and 0800 hours.

**Reason:** In the interests of protecting the existing amenities of the area.

