

Board Order ABP-302817-18

Planning and Development Acts 2000 to 2018 Planning Authority: Cork County Council Planning Register Reference Number: 18/06043

APPEAL by JOAL Developments Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 26th day of September, 2018 by Cork County Council to refuse permission for the proposed development.

Proposed Development: Demolition of existing detached dwelling and rear domestic shed and wall, construction of residential development which includes a lift and access staircore, bike storage and bin storage at ground level, surface car parking for 12 number cars at ground level, one number two storey dwelling, two number two bedroom apartment units on the first floor, two number two bedroom apartment units on the second floor and one number three bedroom apartment on the third floor level and all associated site works at 4/5 Lower O'Connell Street, Kinsale, County Cork.

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

1. Having regard to the location of the house within a designated Architectural Conservation Area in Kinsale, to the fact that the late 19th century dwelling on the site which is proposed for demolition is in fair and original condition (albeit with reversible alterations), and to Policy Objectives ACA 1 and ACA 2 of the Kinsale Town Development Plan 2009 which seek to protect all buildings which are an inherent part of the streetscape and which contribute to the area's heritage, diversity and history, the Board considered that the demolition of the house as part of the proposed development would materially conflict Policy Objectives ACA1 and ACA2 of the Kinsale Town Development Plan 2009. The proposed development was, therefore not, in accordance with the proper planning and sustainable development of the area.

2. The proposed development by virtue of its scale, mass, height, design and external finishes including an unsuitable 'dead' ground level frontage would not lead to successful renewal of Lower O'Connell Street and would not conserve or enhance the character or appearance of the Architectural Conservation Area, and therefore conflicts with Policy Objectives ACA 2 and TCEP11 of the Kinsale Town Development Plan 2009, which seeks to achieve a high standard of urban design.

> Maria FitzGerald Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2019.