



Planning and Development Acts 2000 to 2019

Planning Authority: Cork City Council

Planning Register Reference Number: 18/38178

Appeal by Eileen Coffey of 25 Cardinal Court, Wilton, Cork against the decision made on the 10th day of July, 2019 by Cork City Council to grant subject to conditions a permission to Bishopstown Community Association Company Limited by guarantee care of D.L. Group, Consulting Engineers of 1 Hodders Villas, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Construct within the curtilages of a Protected Structure that is Wilton Park House, Wilton, a new single-storey community building with proposed floor area of 533.61 square metres to accommodate community services/groups currently occupying existing prefabricated structures on site, including existing Pre-School and Naionra with new secure outdoor play area to be provided to serve same, (b) alterations to existing site layout to include new designated car parking area with provision for electric car charging and two number disabled car parking spaces and new covered bike storage, (c) construct a new low level wall and decorative metal fencing with pedestrian access gate and manual vehicular gates at existing main entrance, (d) construct a new low level wall and decorative fencing with

pedestrian access gate along south-west site boundary adjoining neighbouring residential estate, (e) carry out the required demolition of the prefabricated structures on site in a phased manner related to the proposed development and (f) all associated site works at Wilton Park House, Cardinal Court, Wilton, County 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 Cork City Development Plan 2015-2021, it is considered that, subject to compliance with the conditions set out below, the proposed development would fulfil the land use zoning objective for the site, would respect the setting of Wilton Park House, the protected structure on this site, and would enhance the visual amenities of the area. This proposed development, as revised, would be compatible with the residential amenities of the area and would ensure that the grounds of the House are laid out to facilitate efficient car and cycle parking. The proposed development would be served by the existing public water mains and public sewerage system and no Appropriate Assessment issues would arise. 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 on the 14th day of June 2019 and by the further plans and particulars received by An Bord Pleanála on the 27th day of August 2019, 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 amended as follows:
- (a) Fifteen bicycle stands shall be provided.
 - (b) Two car parking spaces shall be provided with a functioning electric vehicle charging points and four car parking spaces shall be provided with ducting to facilitate the provision of such a charging point in the future.
 - (c) The proposed footpath along the eastern boundary of the site shall be re-routed insofar as this would be desirable to ensure a more direct means of access to the main entrance to Wilton Park House and the adjacent pedestrian area.
 - (d) A waste storage area that is demonstrably of an appropriate size for the community uses on the site shall be provided.
 - (e) External lighting for the site that accords with the planning authority's requirements shall be provided.
 - (f) The community building shall be demonstrably designed to ensure a satisfactory level of noise mitigation against future growth in air traffic at Cork Airport.

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 promote the use of sustainable modes of transport, to facilitate pedestrian access, to protect public health and safety, and to ensure a satisfactory standard of amenity to future users.

3. Details of the materials, colours and textures of all the external/surfacing finishes to the proposed community building and the pedestrian facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Storm water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

Reason: In the interest of public health.

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

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

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

7. 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 commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures.

Reason: In the interests of public safety and residential amenity.

8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

(i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.

(ii) Hard landscaping works, specifying surfacing materials, furniture and finished levels.

(b) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

9. Prior to the installation of any external signage either on or freestanding signage for the community building, a scheme, providing details of such signage, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Apart from the agreed signage, and notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of orderly development and visual amenity and to allow the planning authority to assess the impact of any further signage through the statutory planning system.

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

Dated this day of 2019