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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 19/05930**

**APPEAL** by I and G Stores Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 20<sup>th</sup> day of September, 2019 by Cork County Council to refuse permission.

**Proposed Development:** The proposed development includes the demolition of the existing three-storey building and the construction of a replacement three-five-storey replacement building containing convenience retail unit, café and off-licence with associated staff welfare, toilets and storage areas at ground floor level. The proposed development provides for 12 number apartment units at upper floors consisting of nine number two-bedroom apartments and three number one-bedroom apartments with private communal garden and bicycle storage facilities, communal roof terrace and all other associated site development works at numbers 12/13 Pearse Street, Sleveen, 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. The demolition of an existing historic building which is listed on the National Inventory of Architectural Heritage (Reference Number: 20851033) would fail to have due regard for the intrinsic historic character of Kinsale town centre. The proposed development would materially affect the character of the Kinsale Architectural Conservation Area and would, therefore, seriously injure the visual amenities of the area. The proposed development would be contrary to the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011 which promote the rehabilitation of historic buildings in preference to their replacement, to Objective HE 4-5 of the Cork County Development Plan, 2014 which aims to conserve and enhance the special character of the Architectural Conservation Areas and to policies RPS3, ACA1 and ACA2 of the Kinsale Town Development Plan, 2009. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed design in terms of scale, mass and insensitive design which is lacking in local context would have a serious detrimental impact on the overall character of the Architectural Conservation Area and would, therefore, conflict with policy ACA2 as set out in the Kinsale Town Development Plan, 2009, which seeks to ensure development will conserve or enhance the character or appearance of the Architectural Conservation Area. The proposed development would adversely affect an Architectural Conservation Area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**