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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 19/06935**

**APPEAL** by Denis Noel O'Mahony care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 11<sup>th</sup> day of February, 2020 by Cork County Council to refuse permission.

**Proposed Development:** The demolition of existing retail unit and the construction of a three storey, 13 bedroom guest house, with associated dining room, professional kitchen and reception area, connection to public services and all associated site works at Kinsale Tile Store, Guardwell, 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**

Having regard to the location of the site in the Kinsale Architectural Conservation Area (ACA) and in a position adjoining the historic church of St. Multose, which is identified in the National Inventory of Architectural Heritage as being of national interest, and having regard, too, to Objective HE 4-5(c) of the Cork County Development Plan 2014, which requires that new development in Architectural Conservation Areas respects their established character and contributes positively to them, and to Policy ACA2 of the Kinsale Town Development Plan 2009 – 2015, which states that new development will only be permitted in the Kinsale ACA if it would conserve or enhance the character or appearance of this area, it is considered that, due to the design of its front elevation, the proposed development would fail to make a positive contribution to the streetscape of Guardwell, and due to the design of its rear portion, would appear fragmented and therefore lacking in coherence when viewed from adjoining streets to the north and from within the grounds of St. Multose. Accordingly, the proposal would detract from the setting of this historic church and its grounds and would fail to either conserve or enhance the character or appearance of the Kinsale ACA. The proposed development would, therefore, contravene the above cited Objective and Policy of the County and Town Development Plans and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**John Connolly**

**Member of An Bord Pleanála**

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

**Dated this            day of            2020**