



Planning and Development Acts 2000 to 2020

Planning Authority: Cork City Council

Planning Register Reference Number: 20/39416

APPEAL by Dennehy's Cross Construction Limited care of Seán Dockry and Associates of 24 Middle Street, Galway against the decision made on the 14th day of September, 2020 by Cork City Council to refuse permission.

Proposed Development: Demolition of an existing garage premises and the construction of 45 number apartments (four number three bed, 29 number two bed and 12 number one bed) in one number five-storey building and one number six-storey building, and associated external works at site formerly known as 'Dennehy's Cross Garage', Model Farm Road, 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 site adjacent to Dennehy's Cross which is zoned as a Local Centre in the current Cork City Development Plan and where the pattern of development of the street block is characterised by a varied but distinctive built form, including a key landmark building and two-storey residential properties, the proposed development, by reason of its excessive height and scale, inappropriate layout and design, would result in a visually obtrusive development which would overwhelm the landmark building and two-storey houses, would detract from the character of the streetscape and would fail to positively contribute to the designated 'Local Centre'. The proposed development would, therefore, conflict with the provisions of the Urban Development and Building Height Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in December 2018 and the objectives of the Development Plan for the area, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its height, scale, massing and layout, including the close proximity of the two blocks on a limited site area, would result in a substandard level of accommodation and poor quality of amenity space which would give rise to serious injury to the residential amenities of the future occupants of the apartment blocks and to the adjoining residential properties by reason of overlooking, overshadowing, an overbearing presence and noise and disturbance. The proposed development would, therefore, represent overdevelopment of a restricted site which would fail to comply with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in December 2020, would seriously injure the residential amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the site adjoining the Church of the Descent of the Holy Spirit, which is a Protected Structure and which is designated as a key landmark building of architectural and cultural significance within the locality which is the subject of protected views in the current Cork City Development Plan, it is considered that the construction of the two proposed apartment blocks in close proximity to the church, by reason of excessive scale, height, mass and bulk, would dominate and obscure views to and from the church building including its distinctive dome and twin towers, which would adversely affect the character and setting of the Protected Structure and its relationship with the surrounding area of which it forms an integral part. The proposed development would, therefore, conflict with the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October 2011, would detract from views of a landmark structure within the locality and would be contrary to the proper planning and sustainable development of the area.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2021