

An
Coimisiún
Pleanála

Commission Order
ABP-321899-25

Planning and Development Acts 2000 to 2024

Planning Authority: Cork City Council

Planning Register Reference Number: 2442696

Appeal by the Shandon Area Renewal Association care of 44-46 Shandon Street, Cork against the decision made on the 30th day of January 2025, by Cork City Council to grant permission, subject to conditions, to Bellmount Development Limited care of McCutcheon Halley Planning Consultants of 6 Joyce House, Barrack Square, Ballincollig, County Cork for the proposed development.

Proposed Development: Modifications to the existing protected structures (Reference numbers PS310 and PS311 located on 60/61 Shandon Street) to provide nine number residential units, consisting of eight number studio apartments and one number one-bed apartment and all other ancillary development at 60/61 Shandon Street/Farren's Quay, Cork. The proposed development includes a change of use from commercial to residential at ground floor level. The existing public house and storage area at lower ground floor/basement will remain unchanged. The proposed development was revised by further public notices received by the planning authority on the 3rd day of January 2025, reducing the development to 5 apartments.

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.

Reasons and Considerations

Having regard to the provisions of Cork City Development Plan 2022-2028, the location of the subject site within Cork City Centre and zoned as ZO 5: City Centre, whereby the objective is to consolidate and facilitate the development of the central area and to promote its role as a dynamic mixed use centre, it is considered that, subject to compliance with the conditions set out below, the proposed development would result in the refurbishment and reuse of a vacant Protected Structure, with the provision of residential units in close proximity to suitable bicycle storage facilities, and would not seriously injure the residential amenity and facilities of the area. 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 received by the planning authority on the 19th day of December 2024, 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. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority confirmation that:
 - (a) the carrying out of the development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and
 - (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

Reason: In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).

3. Prior to the commencement of development, the developer shall submit for the written approval of the planning authority:

(a) A detailed method statement that outlines the site-specific approach to the installation of services, which shall include (but not limited to) an understanding of the existing historic fabric, joist directions, and the locations of bathrooms, boilers, kitchens and utility rooms and their associated service requirements for lowered ceilings, boxing out, risers etc, and any external manifestations. The method statement shall outline the impacts (internally and externally) on the significance of the protected structures. The works shall adhere to best practice conservation.

(b) Updated external proposed elevation drawings and an updated proposed roof plan that consider all service requirements (for bathrooms, kitchens, utilities, boilers etc) and show all external changes to the buildings, including any external vents/grilles or additional pipework etc. The design, materials and colour of all new fabric shall be made clear on the drawings and be sympathetic to the character of the protected structures, with works adhering to best practice conservation.

Reason: In the interest of the protection of architectural heritage and in order to protect the special character of the historic building.

4. Prior to the commencement of development, the developer shall submit the following for written approval from the planning authority, a structural report, incorporating drawings where relevant, that clearly outlines the structural works to the historic buildings, including any requirements for fabric replacement. This shall be produced by a structural engineer with demonstratable experience with historic buildings and the approach shall be in line with best practice conservation.

Reason: In the interest of the protection of architectural heritage and in order to protect the special character of the historic building.

5. (a) The developer shall submit full details (scale 1:20, 1:5 and 1:2 as required) of the proposed replacement sash windows, including details of the pane arrangement, frames, top rails, meeting rails and glazing bars etc. and the location of the box frames within the reveals, to the planning authority for written agreement before these windows are manufactured. The submission shall demonstrate that slimline double glazing can be accommodated within historically dimensioned glazing bars. The method of fixing the glazing within the frames shall also be provided.
- (b) The developer shall provide details of the method for fixing the windows within the openings, including details on pointing of the frames. This shall also address repair of the soffits/reveals of the windows as required following the installation of the windows.
- (c) The developer shall submit full details (scale 1:20, 1:5 and 1:2, as required) of the proposed interventions, internally and externally, such as works to walls, windows, doors, the roof and coverings, plasterwork, joinery, floorboards etc. The submission shall detail the design, materials and colour of all new fabric.

- (d) All works shall be carried out in accordance with best conservation practice and the Department of Housing, Local Government and Heritage Advice Series: Windows: A Guide to the Repair of Historic Windows (2007).

Reason: In the interest of the enhancement of the built heritage.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

7. Prior to commencement of development, a plan shall be submitted to, and agreed in writing with, the planning authority, containing details for the management of waste (and, in particular, recyclable materials) for the units within the development, including the provision of suitably screened facilities for the storage, separation and collection of the waste including recyclable materials, at the southwest elevation, or at an alternative site to be agreed with the planning authority. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed, in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

8. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

9. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. 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:
- (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) location of areas for construction site offices and staff facilities;
 - (c) details of site security fencing and hoardings;
 - (d) details of on-site car parking facilities for site workers during the course of construction;
 - (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
 - (f) measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,



- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains; and
- (m) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety and environmental protection

11. Silt traps shall be provided on all surface water drainage channels. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To prevent water pollution.

12. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

13. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company.

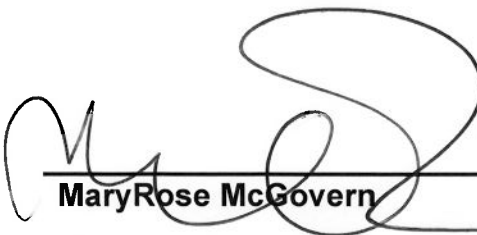
Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.


14. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

15. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.


Mary Rose McGovern
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this *18th* day of *June* 2025.