

An
Coimisiún
Pleanála

Commission Order
ABP-322296-25

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 24/43065

Appeal by Eoin Lane trading as Be Framed of Unit 29B, St. Patrick's Woolen Mills, Douglas, County Cork against the decision made on the 20th day of March, 2025 by Cork City Council to grant subject to conditions a permission to Infrastructure Investment Fund ICAV care of HW Planning of 5 Joyce House, Barrack Street, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a four-storey primary care centre. The development will be accessed via the existing vehicular/pedestrian entrance to Saint Patrick's Mills and provides for public realm upgrades to the existing access road and pedestrian/cycle path, including the re-orientation and reduction in car parking spaces and relocation of zebra crossings within the Saint Patricks Mills complex. The proposed development also includes the provision of one number retail unit and two number GP Practices at ground floor, solar PV and plant room at roof level and all ancillary development works, including ESB sub-station, bin store, signage, bicycle and car parking, all at Saint Patricks Mills, Douglas, 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.

Reasons and Considerations

Having regard to the zoning objective of the site in the Cork City Development Plan 2022-2028, the principle of the proposal within a district centre that is easily accessible, the infill nature of the site, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the business operations of the area or of property in the vicinity, would represent an appropriate land use at this location, would improve upon pedestrian and traffic safety along the access route through St. Patrick's Mills, would not endanger public health, and would deliver a Primary Healthcare Facility, a land-use which is supported by the Cork City Development Plan 2022-2028, the National Planning Framework, and the Regional Spatial and Economic Strategy for the Southern Region. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 21st day of February, 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed buildings and boundaries shall be as submitted with the planning application, unless otherwise agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

4. Signage associated with the proposed development shall be restricted to those as indicated on the drawings received by the planning authority on the 5th day of July, 2024, as amended by the further plans and particulars received by the planning authority on the 21st day of February, 2025. No further signage shall be erected on site without the prior written agreement of the planning authority. No permission is granted for any internally illuminated signage.

Reason: In the interest of visual amenity.

5. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of clarity and public health.

6. The following requirements in terms of traffic, transportation and mobility shall be incorporated into the proposed development and, where required, revised plans and particulars demonstrating compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:

- (a) The details for the provision of an uncontrolled pedestrian crossing at Douglas Road West (R851) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Details and the extent of all road markings and signage requirements on surrounding roads shall be submitted to the planning authority for written agreement prior to commencement of development.

- (c) The roads and traffic arrangements serving the site (including arrangements for maintenance of sightlines, servicing of the site, and details of signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense prior to first occupation of the primary care centre.
- (d) The proposed junction arrangement at Douglas Street West (R851) and the internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings and car parking bays, shall comply with the requirements of the Design Manual for Roads and Streets, the Cycle Design Manual (CDM) prepared by the National Transport Authority (NTA) 2023 and with any requirements of the planning authority for such road works.
- (e) The materials used on roads and footpaths shall comply with the detailed standards of the planning authority for such road works.
- (f) The developer shall carry out a Stage 3 Road Safety Audit of the constructed development on completion of the works and submit to the planning authority for written agreement and shall carry out and cover all costs of all agreed recommendations contained in the audit.
- (g) All proposed car parking spaces shall be reserved for the sole use of patrons and staff of the approved buildings.
- (h) The future pedestrian/cycle connections to both the lands to the west and to Galway's Lane shall be constructed to the boundary of the proposed scheme to ensure unimpeded connectivity to the neighbouring zoned lands and shall be completed prior to the first occupation of the Primary Care Centre.

In default of agreement on any of these requirements, the matter(s) shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of traffic, cyclist and pedestrian safety and sustainable travel.

7. Prior to the opening of the development, a final Mobility Management Plan (MMP) shall be submitted to, and agreed in writing with, the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by occupants/staff employed in the development, details of a Mobility Manager and intervals for travel surveys. The mobility strategy shall be prepared and implemented by the management company for the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

8. A minimum of 10% of the proposed car parking spaces shall be provided with electrical connection points to allow for functional electric vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fitout of charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.

9. 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 (pollinator friendly).
 - (ii) Detailed boundary treatment for all site boundaries.
 - (iii) A maintenance plan for site landscaping.
 - (b) The site shall be fully landscaped in accordance with the agreed landscaping plan within the first planting season following completion of the development.

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.

10. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall include lighting along pedestrian routes.

Reason: In the interest of amenity and public safety and to minimise disturbance to bats.

11. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The cables shall avoid roots of any trees and hedgerows to be retained on the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

12. The developer shall implement the glazing mitigation measures as specified in the Inward Noise Impact Assessment received by the planning authority on the 21st day of February, 2025.

Reason: To mitigate noise impacts on the primary health care centre arising from the surrounding environment.

13. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and health-related waste shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

14. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a Construction Management Plan which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise and dust management measures, fuel storage, and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

15. 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.

16. The construction of the proposed development shall be managed in accordance with a Construction and Traffic 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 proposed development, including:
- (a) The location of the site and materials compound(s), including area(s) identified for the storage of construction refuse.
 - (b) The location of areas for the 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 the 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.
- (m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be made available for inspection by the planning authority.

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

17. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

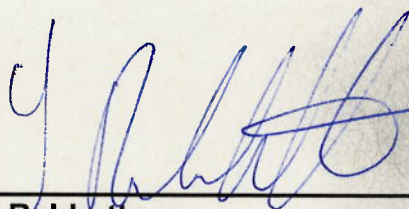
Reason: In order to safeguard the amenities of property in the vicinity.

18. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

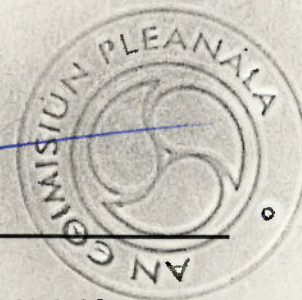
19. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Tom Rabbette

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission**



Dated this 31st day of July 2025.