



An
Bord
Pleanála

Inspector's Report ABP-302923-18

Development	Construction of an office building, which will comprise fifteen storeys above ground level.
Location	Triangular site bound by Clontarf St., Deane St. & Oliver Plunkett St. Lower, Cork City
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	18/37894
Applicant(s)	Clontarf Street Developments Ltd
Type of Application	Permission
Planning Authority Decision	Grant, subject to 36 conditions
Type of Appeal	Third Party -v- Decision
Appellant(s)	An Taisce Corcaigh
Observer(s)	Cork Chamber Cork Business Association Construction Industry Federation

Date of Site Inspection

20th March 2019

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

1.1. The site is located in Cork city centre, in a position towards the eastern end of Morrison Island. This site is a triangular “island” site within the street network, which is bound:

- To the east by Clontarf Street (R610), a through road that runs between Brian Buru Bridge to the north and Clontarf Bridge to the south,
- To the west by Deane Street, and
- To the south by Oliver Plunkett Street Lower, which joins Oliver Plunkett Street to the west to form an important east/west route between Grand Parade (R848) and Customs House Street (N27).

1.2. The site lies within a transitional area of mixed use. To the north lies the Central Bus Station and to the south, on opposite sides of Clontarf Street, lie new multi-storey hotel (7 no. storeys) and office (6 no. storeys) buildings. To the east, lie old stone buildings (1 no. and 2 no. storeys) and, to the north east, old quayside warehouses (4 no. storeys), all of which are in retail/commercial use. To the west, lies a building (2 no. storeys) with a dormer punctuated mansard roof, which is in retail use, and a cleared, unused, and vacant site.

1.3. The site extends over an area of 0.031 hectares. It is cleared, unused, and vacant at present, apart from an ESB sub-station at its northern point. This site is enclosed by high walls attached to which are advertising billboards and it is surrounded by a continuous public footpath. It is accessed by means of a vehicular entrance off Deane Street, which is the subject of solid gates.

2.0 Proposed Development

2.1. The proposal is for the construction of an office building, which would comprise fifteen storeys above ground level (c. 61.5m to the parapet) and which would have a gross floor area of c. 5985 sqm.

2.2. The proposed ground floor would be laid out and used as a lobby, office rooms and building services and the first to fourteenth floors would be laid out and used as offices and building services. A roof top terrace would be provided for staff above the

fourteenth floor. It would include a canopy structure at third floor level that would over-sail the public footpaths (c. 2m width) adjoining Clontarf Street and Oliver Plunkett Street Lower. This structure would continue upwards to the roof terrace. A freestanding glass canopy would over-sail Deane Street at the third-floor level only. The proposed development would also include a double basement, which would accommodate ancillary plant and equipment and a water tank.

- 2.3. The main pedestrian access to the building would be via Clontarf Street and the existing electricity sub-station would be relocated within a secure room on the ground floor of the proposed building with a dedicated access from Deane Street.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information, permission granted subject to 36 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The case planner recommended refusal on the grounds of material contravention of CDP's height policies/adverse precedent and over development/visual obtrusion on the skyline/impacts upon visual and residential amenity, character and setting of protected structures, and local and strategic views and prospects of special amenity value. Nevertheless, this recommendation was over ruled by the Director of Operating Services on the grounds of the visual quality of the proposal, Paragraph 16.37¹ of the CDP, and the site's proximity to the Central Bus Station, and long-term under-utilisation of the site. Further information sought on the following:

- Extent of transparency of proposed glazing.
- Visual Impact Assessment (VIA).
- Traffic and Transportation Assessment (TTA),
Stage 1/2 RSA, and

¹ *Tall buildings will normally be appropriate where they are accessible to a high quality public transport system...*

Integration with public lighting.

- Proposed pedestrian safety measures, and
- Letter of consent with respect to works outside the red edge.

Following receipt of further information, the case planner's recommendation reiterated, but over ruled by the Director of Operating Services, on the same grounds as previously cited with, in addition, the observation that the VIA "does not demonstrate that the impact of the proposed development will be negative, particularly in the context of proposals already approved in the vicinity."

3.2.2. Other Technical Reports

- Environment (Waste Management and Control): No objection, subject to conditions.
- Drainage: No objection, subject to conditions.
- Roads Design: Following receipt of further information, no objection, subject to conditions.
- Transportation & Mobility: Following receipt of further information, no objection, subject to conditions.
- Irish Water: No Objection, observations made.
- Conservation: Refusal recommended because of the negative impact the proposal would have on the character of the historic city and on the setting of protected structures, in particular Nos. 7/8 & 9 Parnell Place and on the former Provincial Bank and Cork Savings Bank.
- Planning Policy: Refusal recommended as the proposal would materially contravene Objective 16.3/Paragraph 16.25 and Objective 16.7: Tall Building Policy of the Cork City Development Plan 2015 – 2021, which states that medium rise buildings should be less than 32m in height and that tall buildings are appropriate in the specified locations at South Mahon and the South Docklands. The proposal would conflict with this Objective as follows: the proposal is a tall building in an unspecified location and the building height significantly exceeds the specified medium-rise building height and would,

therefore, be contrary to the proper planning and sustainable development of the area.

- City Architect: Recommends approval, subject to the installation of transparent glazing.

At the appeal stage the following bodies were consulted:

- Department of Culture, Heritage and the Gaeltacht,
- Failte Ireland,
- The Heritage Council, and
- An Chomhairle Ealaíon.

No comments were received from these bodies.

4.0 Planning History

- 05/29658: 9-storey office building (c. 3000 sqm): Permitted subject to the removal of two storeys.
- Pre-planning consultation occurred on 9th March and 27th April 2018.

5.0 Policy and Context

5.1. Development Plan

Map 1 of the Cork City Development Plan 2015 – 2021 (CDP) shows the site as lying within an area that is zoned as the City Centre Retail Area, which is denoted as ZO 1. The relevant Zoning Objective states, “To provide for the protection, upgrading and expansion of retailing, in particular higher order comparison retailing, as well as a range of other supporting uses in the City Centre Retail Area (CCRA).” The accompanying commentary states the following:

...Retailing is prioritised in this area but not to the exclusion of other land use types. Other uses such as residential, hotel, office and cultural and leisure facilities etc. which complement the retail function of the CCRA and promote vibrancy in the City Centre are also permitted, subject to the policies to promote the City Centre retailing in Chapter 13.

Map 2 of the CDP shows the site as lying in the city centre and in a Pedestrian Priority Area and Map 12 shows a northwards linear view of Trinity Presbyterian Church, denoted as TP 1, from beside the site, i.e. Oliver Plunkett Street Lower/Deane Street.

Chapter 13 of the CDP addresses the city centre and docklands. Figure 13.1 presents indicatively the City Centre Development Strategy, which shows the site as lying on the edge of the core retail area and in the commercial core area that is highlighted as an Office Led Development Quarter.

Objective 13.21 addresses city centre design quality and context. Item (c) of this Objective states the following:

Development proposals in the city centre should demonstrate that they contribute towards a high quality, sustainable living or working environment. They should respect the height, mass and scale of surrounding buildings, should not compromise protected views and prospects and should draw upon positive characteristics of the surrounding environment to create a sense of place, security and vitality.

Chapter 16 addresses development management. Paragraph 16.25 of this chapter discusses building height and it describes tall buildings as being “32m or higher, the approximate equivalent of a 10 storey building with a commercial ground floor and residential in the remaining floors.” Paragraphs 16.29 & 30 discusses building height in the city centre and inner urban areas as follows:

...The city centre typically has a general building height of 3 – 5 storeys. Due to the importance of the city centre as an area of historic and architectural character, the building height of any new development within the city centre should generally respect the area’s existing character and context and should be in accordance with the prevailing hierarchy/character of buildings, save in exceptional circumstances where an increase in building height can be justified on sound urban design or architectural grounds.

In appropriate circumstances, new corner (local landmark) buildings may reflect their location by means of additional building height of 1 – 2 storeys, subject to other planning considerations. The building design and treatment of a building (including built form/height) should reflect new civic and public benefit uses.

Paragraphs 16.34 – 38 discuss tall buildings. Paragraph 16.34 states the following:

Tall buildings can play a visual role as landmark buildings and can make a positive contribution to the skyline of a city. Due to the visual prominence and strategic

significance of tall buildings their design must be of a high standard. There are large areas of the city where tall buildings are unsuitable given the potential conflicts with the character, grain, and the amenity enjoyed by users of adjacent sites. In particular, high buildings should be avoided in the historic areas of the city. The City Council has identified Docklands and South Mahon as areas with the potential to accommodate high buildings. Maps 2 & 7 in Volume 2 identify these locations. All other areas of the city are not considered appropriate for tall buildings...

Chapter 9 addresses built heritage and archaeology. Objective 9.1 discusses strategic objectives and item (d) states the following:

Ensure that development reflects and is sensitive to the historic importance and character of the city in particular the street layout and pattern, plot sizes, building heights and scales.

Chapter 8 addresses arts, cultural heritage and tourism. Figure 8.1 presents Failte Ireland's Interpretative Framework of Cork City Centre Island.

Chapter 10 addresses landscape and natural heritage. Figure 10.1 shows the Landscape Character Areas of Greater Cork: the site lies within the historic urban core. Objective 6.1 discusses views and prospects as follows (cf. TP 1 cited above):

To protect and enhance views and prospects of special amenity value or special interest and contribute to the character of the City's landscape from inappropriate development, in particular those listed in the development plan. There will be a presumption against development that would harm, obstruct or compromise the quality of or setting of linear views of landmark buildings, panoramic views, rivers prospects, townscape and landscape views and approach road views.

To identify and protect views of local significance through the preparation of local area plans, site development briefs and assessment of development proposals on a case-by-case basis.

5.2. Natural Heritage Designations

- Great Island Channel SAC (site code 001058)
- Cork Harbour SPA (site code 004030)

5.3. EIA Screening

Under Items 10(b)(iv) of Part 2 of Schedule 5 to Article 93 of the Planning and Development Regulations, 2001 – 2018, where sites of greater than 2 hectares would be developed in a business district, the need for a mandatory EIA arises. The proposal is for the redevelopment of a 0.031-hectare site in Cork city centre to provide a fifteen-storey office building. Accordingly, it does not attract the need for a mandatory EIA and so the question of sub-threshold EIA arises.

The applicant has submitted an EIA Screening Report dated May 2018. It thus predates the introduction of Schedule 7A to the Planning and Development Regulations, 2001 – 2018. Nevertheless, this Report acknowledges the contents of this Schedule as set out in the European parent document, i.e. Annex IIA to Article 4(4) of 2014/52/EU.

I have drawn upon this Report in undertaking a preliminary examination of the proposal. While I have answered “no” in relation to the second, third, and fourth, standard questions in this respect, the first prompts some uncertainty and so I comment upon it as follows: This question asks, “Is the size or nature of the proposed development exceptional in the context of the existing environment?” I consider that it could be considered to be exceptional by virtue of its height within its immediate environment but within the wider environment this would not be so, due to the proximity of the 17-storey Elysian Tower some 300m to the south.

Having regard to (a) the nature and scale of the proposal and the presence of comparable development in the wider environment, and (b) the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposal. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- Objection is raised on the following grounds:

- The proposal would be contrary to the height guidelines in the CDP, specifically the prohibition of tall buildings on the city centre island.
- The proposal would adversely impact upon protected views, prospects and settings of significant heritage buildings and protected structures, and city centre skyline.
- The proposal would be contrary to CDP principles with respect to the urban form and character of the city centre, which are recognised as tourism, economic, and cultural assets.
- The proposal would establish an adverse precedent for the construction of tall buildings on the city centre island, which would be contrary to the Planning Authority's intention of granting it as a one-off marker development towards similar developments in the docklands.
- The proposal was granted contrary to expert advice² from within the Planning Authority.
- Attention is drawn to the appellant's support for city centre regeneration projects, e.g. the Metropole Hotel redevelopment. Attention is also drawn to its support for identified tall building sites in the docklands, as distinct from the city centre island. The appellant's views thus parallel the CDP's position.
- The appellant notes the following points from the case planner's assessment:
 - The location of the proposal is not only unsupported by the CDP, it would impact upon the character of the city and nearby protected structures, e.g. historic warehouse buildings, and the former Provincial and Cork Savings Banks.
 - Exception is taken to the absence of an EIA, given the significant visual impact that would arise.
 - A distinction is made between the urban grain of the city centre and that of docklands, the former being unsuitable for tall buildings while the latter can accommodate some.

² Many of the points raised in the appellant's letter of objection to the application were developed further and clarified in the said advice.

- Concern is expressed that the executive decision to grant did not fully weigh the planning advice given. The justification of this decision is critiqued as follows:
 - The role of the proposal as a transitional building between the city centre and docklands and its role as a one-off marker that would not disturb the existing skyline but enhance it with an elegant addition of light-weight and transparent feel is challenged. Thus, the sheer height of the proposed 15-storey office building, which would be the equivalent of a 21-storey residential building, would have a major visual impact upon the city centre, which would be insufficiently mitigated by its transparency.
 - The proposal would be an exception to the CDP's normal prohibition insofar as it would be of visual quality, it would be sited adjacent to the Central Bus Station, and it would ensure that the long-term underutilisation of the site is overturned. To the contrary, the evolution of the CDP's height policy clearly shows that the city centre is not considered to be suited to tall buildings and so specific sites within the docklands have been identified for such buildings instead. Accordingly, a much greater degree of justification would be required to set aside this policy, which only envisages a significant building on the eastern point of the city centre island.
 - The proposal was granted on the basis that its impact on views would not be a negative one in the context of other extant permissions in the vicinity. To the contrary, such permissions are for medium-rise proposals of horizontal form only. By contrast the tall proposal would have "exceptional severe impacts" upon protected views along adjacent streets, views along river corridors, views from eastern approaches to the city, and upon the cityscape generally.
- Again, the said transitional role would not occur, as the site is located centrally within the eastern end of the city centre. Furthermore, to the east of this site, a heritage complex centred on the Customs House is the subject of a further proposal for a tall building, which has yet to be the subject of a formal planning application. Consequently, the current proposal represents a material contravention of the CDP, as would this further proposal.

6.2. Applicant Response

The applicant has responded to the above cited grounds of appeal as follows:

- The proposal should be assessed against the full range of planning policies, objectives and guidelines for the site.
 - Strategically, the NPF encourages increased employment activity in urban areas. Under Objectives 13.10 & 13.24 and accompanying Figure 13.1 of the CDP, the site lies within the heart of the Office Led Development Quarter. Paragraphs 3.31 & 13.25 are also cited in this respect.
 - The appellant's position reflects the case planner's original report, dated 6th July 2018, which was effectively superseded by the City Architect's advice, dated 9th July 2018, advice that supported the proposal on the basis that its height could be justified on urban design and architectural grounds and consequently it would have a positive impact upon the city's skyline. This advice was subsequently endorsed by the Director of Operating Services (DOS), who states that tall buildings can be considered in exceptional circumstances and that such circumstances pertain, i.e. quality of design, long-term underutilisation of the site, and proximity to the Central Bus Station.
 - The applicant takes exception to the appellant's characterisation of the advice of the City Architect and the decision of the DOS to seek further information and then to grant as a non-expert approach. Rather the DOS recognises the validity of exceptional circumstances, something that the case planner appears to do so, too, in her second report, dated 4th October 2018, even if she, confusingly, recommends refusal on the grounds of adverse precedent.
- Precedents for permitting a tall building have been established by the following recent planning decisions:
 - ABP-300325-17 SHD: A student accommodation scheme, which includes a 10-storey block (34.3m), at Victoria Cross: Permitted. The inspector drew attention to an ambiguity in the CDP's height policy insofar as sites close to high quality public transport systems can be considered, on the

one hand, but only sites identified on Maps 2 & 6 can be considered, on the other hand.

- PL28.229832 & ABP-300547-17: Mixed-use redevelopment of former government buildings on Sullivan's Quay, which includes a 12-storey block (48m): Permitted. The Board endorsed the view of the inspector that this block would strengthen the redevelopment's impact by closing off of the vista from Grande Parade.
- 17/37497: Mixed-use redevelopment of the Metropole Hotel on Patrick's Quay with an overall height of 34m: Permitted, notwithstanding objection from the Planning Policy Unit. The appellant now cites this case in a favourable light.
- 17/37563: Mixed-use redevelopment at Horgan's Quay with buildings of c. 36m. While the senior planner sought to reduce this redevelopment to 32m, the DOS considered that this was unnecessary, given the site's proximity to the City's Kent Railway Station. The appellant now cites this case in a favourable light.
- 18/37909: Mixed-use redevelopment at Penrose's Quay with an overall height of 41.15m. While the area planner recommended refusal on the grounds that the site was not one identified in the CDP for a tall building and adverse precedent, the City Architect and the DOS highlighted its quality and proximity to Kent Railway Station in permitting it. Notwithstanding the similarities between this case and the current proposal, the appellant did not appeal this decision.
- The proposal would not negatively impact upon the urban grain and character of the area.
 - The applicant considers that the appellant's concerns are mis-placed, as the site lies in the eastern periphery of the city centre, beyond the fine-grained central area of the 18th and 19th Centuries. Historically, the subject area was separated from the city and it constituted an island marsh, known as Lapp Island. It was subsequently bisected by the construction of Clontarf Street and the site's triangular shape was formed. And so the site was formerly part of the port and rail area of the city.

- The architect has submitted a detailed Architectural Design Statement, which accords with the advice in this respect set out in Paragraph 16.3 of the CDP.
- The proposal would have an adverse impact on protected views and other view-points within Greater Cork.
 - Attention is drawn to the proposal, which under further information was the subject of a Townscape and Visual Impact Assessment (TVIA). The case planner disagreed with the resulting favourable assessment. However, the basis for this disagreement has not been sufficiently elucidated.
 - The consultants who prepared the TVIA have addressed the appellant's specific concerns with respect to the visual impact upon views and protected structures. Additional photomontages along Morrison's Quay have been prepared and relevant commentaries provided. They conclude that the proposal would not diminish the presence of the former Cork Savings Bank, as it would be different in architectural style, its facades would be of simple design, and it would be finished in a mute colour.
 - The DOS response to the appellant concurs with the aforementioned conclusion and it also points out that the proposal would be seen in conjunction with the redevelopment projects, cited above, for Penrose's and Horgan's Quays.
- The proposal is in accordance with the (draft) Urban Development and Building Height Guidelines.
- The Guidelines were published in August 2018 and the current proposal and the one for Penrose's Quay have been determined since then. Objective 11 of the NPF relaxes "general restrictions on building height" and the said Guidelines, even though draft, should have been taken into account in this respect. Thus, SPPR 1 reiterates the NPF's relaxation and it advises that Planning Authorities should revise their documentation, accordingly. The appellant's case fails to take account of this advice.

6.3. Planning Authority Response

The Planning Authority has responded to the appellant's grounds of objection as follows:

- The term "should be avoided" does not equate to a total prohibition, i.e. exceptional circumstances can be allowed for.
- Impact upon views would not be negative and the appellant does not appear to have allowed for proposals at Penrose's and Horgan's Quays and proposals at Navigation Square (under construction) and Anderson's Quay.
- Cities need to evolve if sustainability is to be achieved. The subject site has remained undeveloped for 40 years and the current proposal would represent an innovative design response to the challenge which it poses.
- Tall buildings are not necessarily "negative" and it would be a mistake to require the urban form of the city centre island to remain in perpetuity as it is today.
- The expertise of the City Architect and the DOS should not be dismissed.

The Board's support for the proposal is requested as it would be a positive addition to the urban form of Cork.

6.4. Observations

The observers support the proposal on the following grounds:

- Under Project Ireland 2040, sites such as the subject one need to be redeveloped in the interests of sustainability. Under the proposal, such redevelopment would be secured by means of a building, which, as it would reflect the iconic "Flat Iron" building in New York, would be a positive addition to the city skyline.
- The proposal would provide office accommodation in the city centre, where it is needed. It would have a potential occupancy rate of 625 staff and its construction would provide 170 jobs. Residential occupancy in the city centre is rising and so this proposal would potentially contribute to the promotion of work/life balance.

- The proximity of the site to the Central Bus Station and Kent Railway Station would ensure that the proposal, which would be accompanied by no car parking, would promote sustainable modes of commuting.
- The proposal would be a catalyst for further regeneration projects, which would attract new businesses and support existing ones.
- The position of the Planning Authority, as outlined in its response to the appellant, is supported.

6.5. Further Responses

The appellant has responded to the applicant's response as follows:

- By way of response to the applicant's first heading, attention is drawn to Objective 13.10 of the CDP and the construction of offices by way of compliance with this Objective at the eastern end of the city centre island, without recourse to tall buildings.

The views of the City Architect and the DOS are based on insufficiently substantiated "exceptional circumstances" to allow for the planning assessment of the proposal to be set aside. These circumstances do not require the construction of a tall building. Such a building would be disruptive of the low-lying geography of the city centre island, which is reflected in its historical development and in its built character.

- By way of response to the applicant's second heading, the precedents cited by the applicant are explored. The Victoria Cross site is in the suburbs, the Penrose's and Horgan's Quay sites are in the docklands, and the Metropole Hotel lies on the northern side of the North Channel of the River Lee and so beyond the city centre island. Thus, these proposals are for locations that are not comparable with that of the subject site. Likewise, the Elysian Tower, to the south east of the City Hall is not on the said island and, while it is of comparable height to the proposal, its presence compromises vistas of the City Hall.

If the current proposal is acceded to, then an adverse precedent would be established for tall buildings elsewhere on the city centre island, e.g. there are

sites ripe for development on Copley St./Union Quay/South Terrace, Anderson's Quay, Kyril's Quay, and South Main Street.

- By way of response to the applicant's remaining headings, the key issue is the impact of the proposal, as a tall building, upon the urban grain and character of the city centre and upon protected and other views. The appellant has no difficulty with contemporary buildings *per se*. The issue at stake here is simply one of height. In this respect, the current CDP continues the position adopted by its predecessors of acknowledging the low-lying nature of the city centre.

Insofar as the recently adopted Guidelines prioritise height over density, they fail to recognise the scope for redevelopment within existing height parameters that are designed to safeguard the character of urban areas.

The submitted visual assessment concentrates upon view-points available along the South Channel. Other view-points should be assessed, too, e.g. from Parnell Place and from eastern approaches to the city centre.

7.0 Assessment

7.1. I have reviewed the proposal in the light of national planning guidelines, the CDP, relevant planning history, the submissions of the parties and the observers, and my own site visit. Accordingly, I consider that the current application/appeal should be assessed under the following headings:

- (i) National policy and local policy,
- (ii) Cityscape/streetscape and visual impacts,
- (iii) Other impacts,
- (iv) Public transport, traffic, access, and parking,
- (v) Water, and
- (vi) Appropriate Assessment.

(i) National policy and local policy

7.2. I will begin by summarising national policy that is of relevance to the current proposal. Chapter 4 of the National Planning Framework (NPF) is entitled "Making Stronger Urban Places". This Chapter addresses "Achieving Urban Infill/Brownfield

Development” and it brings forward three National Policy Objectives (NPO), two of which are relevant to the current proposal. Thus, NPO 11 refers to “...a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities...” and NPO 13 states the following:

In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

7.3. The Urban Development and Building Heights (UDBH) Guidelines, which were adopted in December 2018, cite NPO 13. They critique the use of “generic maximum height limits” as potentially undermining the quest for more compact urban areas and they advocate new approaches to urban planning that secure a mix of uses for living, working, and leisure in urban centres. In this respect, increasing prevailing building heights has a critical role to play.

7.4. The aforementioned Guidelines advise on building height and the development plan. Thus, such plans should, based on, where appropriate, an understanding of historic character, identify specific geographical locations or precincts for increased building height. Examples of such locations or precincts may include brownfield former industrial districts, dockland locations, low density shopping centres, etc.

Accordingly, Specific Planning Policy Requirement (SPPR) 1 states the following:

In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the NPF and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.

Planning authorities are thus advised to critically evaluate their existing plans and to amend them as appropriate to ensure that they properly align with the said Guidelines.

7.5. These Guidelines advise on building height and the development management process. Thus, three principles are set out to guide planning authorities in their

consideration of proposals wherein prevailing building heights would be exceeded. These principles refer to the NPF's NPO 13, the requirements of development plans that take clear account of the said Guidelines, and, where such plans pre-date these Guidelines, whether or not they nonetheless reflect their provisions.

- 7.6. With respect to applicants proposing taller buildings, criteria are set out that specify considerations that are to be addressed at the scales of the relevant city/town, district/neighbourhood/street, and site/building. Specific assessments of some or all of these scales may include micro-climatic effects, impacts upon, variously, birds and/or bats, telecommunications, air navigation, and historic built environments, and other relevant environmental assessments, as appropriate. Item A of SPPR 3 goes onto state the following:

It is a specific planning policy requirement that where;

- 1. An applicant for planning permission sets out how a development proposal complies with the criteria above: and*
- 2. The assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set in the NPF and these guidelines;*

Then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

- 7.7. The UDBH Guidelines were adopted after the Planning Authority's decision on the current proposal, which was made on 8th October 2018. They are now operative and so their provisions constitute material planning considerations for the purpose of the assessment of the application/appeal that is before the Board.

- 7.8. Turning to local policy, this is set out in the Cork City Development Plan 2015 – 2021 (CDP), which clearly predates the adoption of the aforementioned Guidelines. CDP Maps show the site as lying within the City Centre Retail Area (CCRA), albeit at its eastern extremity which adjoins/overlaps with the Office Led Development Quarter, and in a Pedestrian Priority Area. Offices can be permitted within the CCRA, where they would complement the retail function and promote vibrancy. Given the said location of the site and its "island" position as one that is surrounded on all three sides by streets, I consider that its redevelopment to provide a tall building for an intensive office use would complement the retail function by providing vibrancy. Accordingly, the proposed after-use would raise no in principle land use objection.

- 7.9. CDP Maps also show a linear view of Trinity Presbyterian Church from beside the south western corner of the site along Deane Street, which bounds this site to the west. Development proposals should respect such views and, under Objective 13.21, such proposals in the city centre should respect the height, mass and scale of surrounding buildings.
- 7.10. Chapter 16 of the CDP discusses building height. Tall buildings are defined as being 10 storeys or more (32m or higher). Within the city centre, the general building height is 3 – 5 storeys. Due to the importance of the city centre's historic and architectural character, this prevailing height should be respected, except in exceptional circumstances where for reasons of urban design and architecture an increase in height would be justified. While the value of tall buildings is recognised, their presence in the city centre (within its 1869 boundary) should be avoided. Instead, suitable sites for such buildings in the southern docklands are identified by the CDP. These sites would be served in the future by the proposed Bus Rapid Transit, which would run between Ballincollig and Mahon and pass through the city centre and docklands.
- 7.11. In seeking to establish the policy basis for the purposes of assessing the current proposal, I note that the three principles delineated by the Guidelines, include the question as to whether or not plans that pre-date these Guidelines nonetheless reflect their provisions. I note, too, that SPPR 3 accepts that under certain conditions the CDP can be effectively set aside. I will review the CDP in the light of the former and the application in the light of the latter.
- 7.12. The CDP's height policy is based on an assessment of Cork city centre, which concludes that the importance of its historic character is such that tall buildings should be avoided. Instead specific sites in the docklands are identified for such buildings. This policy reflects the advice of the Guidelines insofar as they accept that an assessment of the capacity or otherwise of historic areas to accept tall buildings is in order. They also advise that specific geographical locations or precincts, e.g. docklands, within which tall buildings can be sited should be identified. In these respects, the CDP reflects the provisions of the Guidelines.
- 7.13. The CDP's height policy effectively forbids tall buildings in the historic city centre, which includes the subject site. While buildings above 5 storeys maybe capable of

justification, the implication is that such buildings would not be higher than 10 storeys, i.e. they would not be tall buildings, as defined in the CDP. This blanket approach is in tension with the Guidelines, which seek to avoid this approach. Instead, they state that assessments of tall building proposals should be on a performance criteria basis, i.e. specific considerations that are to be addressed at the scales of the relevant city/town, district/neighbourhood/street, and site/building. And so the Guidelines appear to advocate both a plan-led approach to the identification of sites for tall buildings and a developer-led approach to bringing forward other sites, too, where, that is, they are capable of meeting the relevant performance criteria. Thus, within the context of Cork City, where the development of the identified tall building sites in the docklands appears to be for the future, tall building proposals can no longer be ruled out in principle on sites within the historic city centre.

- 7.14. I will refer to the said performance criteria under the remaining headings of my assessment below. However, I note that with respect to the application of these criteria to the scale of the site/building, the lighting/overshadowing analysis that is envisaged has not been addressed by the applicant. I note, too, that there are dwellings within the vicinity of the site, as evidenced by a letter of objection at the application stage, which was submitted by the residents of Nos. 16 – 20 Oliver Plunkett Street Lower. The Board may wish to seek further information on this topic to enable a fuller assessment of the proposal to be undertaken.
- 7.15. In the light of the tension between the Guidelines and the CDP, I would draw the Board's attention to Section 2(a) of the Planning and Development Act, 2000 -2018, which states that "the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates." This Section is applicable in cases, such as the current one, wherein the Planning Authority has granted a draft permission.
- 7.16. I conclude that, notwithstanding the CDP's height policy, under the UDBH Guidelines the proposal for a tall building on the subject site cannot be ruled out in principle and so it falls to be assessed on performance criteria.

(ii) Cityscape/streetscape and visual impacts

7.17. The performance criteria at the scale of the relevant city/town and at the scale of the district/neighbourhood/street cite several visual criteria. Thus, with respect to the former, the need to successfully either integrate into or enhance the character and public realm of the area having regard to topography, cultural context, setting of key landmarks, and protection of views are cited, and, with respect to the latter, the following requirements are cited:

- Makes a positive contribution to neighbourhood/streetscape,
- Pays attention to massing and finishing materials,
- Enhances the urban design context of key thoroughfares and waterways,
- Improves the legibility of the area, and
- Makes a positive contribution to building typologies.

The applicant has submitted a design statement, photomontages and a Townscape and Visual Impact Assessment (TVIA), all of which are of assistance in addressing the aforementioned criteria.

7.18. The proposal itself is for a 15-storey building with a parapet height above street level of c. 61.5m. This building would be sited over the entirety of the triangular shaped subject site. It would form a prism and its design would feature rounded corners. The eastern and southern elevations of the building would extend over the accompanying public footpaths on Clontarf Street and Oliver Plunkett Street Lower from the third-floor upwards. (The remaining western elevation would abut the back of the accompanying public footpath on Deane Street). The entrance to the building would be laid out on the north eastern side of the building and circulation spaces, such as stairwells and lifts, and services comprised in its core would be grouped on the western side. Each upper floorplate would be denoted by means of textured stainless-steel spandrel panels. Floor to ceiling height glazing would be installed on each floor in the form of a frameless unitised system, which would allow for a high level of transparency, i.e. 70%. On the western elevation, this system would be accompanied by pre-cast terrazzo finished concrete panels, which would be installed in conjunction with the said circulation spaces and services. Textured stainless-steel fins would also be specified to enclose the roof plant on the roof terrace.

- 7.19. The applicant's design statement refers to several buildings which have been influential in their approach to the current proposal. Amongst these, the "Flat Iron" Building in Manhattan and a 15-storey building that was recently constructed on Chancery Place in Manchester city centre exhibit the prism form of this proposal. Clearly, within the context of Cork City, it would be a novel building. The applicant has stated that their design intent is to "produce a tall, elegant iconic office tower that will be a light filled and transparent structure that will provide a state of the art modern office building."
- 7.20. The appellant has not contested the design of the proposal *per se*, only the appropriateness of its height on the subject site, due to the visual impact that this would have upon and the adverse precedent that it would set for the city centre. The other parties and the observers express enthusiasm for the design. The design was however the subject of critique by the Planning Authority's Planning Policy consultee, who drew attention to the western elevation. Notwithstanding the prominence of this elevation, it would be designed to be the "back elevation". It was therefore suggested that the possibility of re-siting the core to the southern elevation be explored, as this would be the shortest of the elevations.
- 7.21. I note that the design of the building would afford a high degree of transparency, which would be limited only by the western elevation. The Planning Policy consultee would reshuffle such limitation to the southern elevation, while it could be minimised still further if the core was centralised internally within the building. However, given the small and triangular shaped floor plates, this latter option would have a significant knock-on effect upon the usability of the building. Accordingly, insofar as the core would need, for practical reasons, to be attached to an external elevation, this elevation could be glazed in a bid to ensure that the external finish of the building appears consistent. While transparency would not be maximised under this scenario, the extent of reflective surfaces would be.
- 7.22. I note, too, that the western elevation is the longest of three elevations and so from vantage points that would afford views of only its uppermost floors it would appear somewhat stubby. Given these views, the specification of pre-cast terrazzo finished concrete panels would read as vertical stripes to this elevation, which would counter-balance the said horizontal emphasis and so ease its perceived stubbiness. Thus, the western elevation as proposed would, arguably, not be as inappropriate as the

Planning Policy consultee fears, notwithstanding the limitation that it poses upon the transparency of the building. In this respect, the trade-off between competing objectives in the submitted design has much to commend it.

- 7.23. In the light of the foregoing discussion, I consider that the proposal would not be designed to integrate with the surrounding area so much as to, arguably, enhance it. Whether or not this would indeed be so falls to be discussed below.
- 7.24. A sense of the impact of the proposal upon the cityscape of Cork can be gauged from the applicant's TVIA, which indicates that it would have a significant effect on the historic core of the city centre from vantage points beside the site and along the northern and southern channels of the River Lee. Arguable, it would also have such an effect from other vantage points within the historic core, where a line of sight is available. The TVIA also addresses visual impact and it records that significant effects would arise within the majority of views that are the subject of photomontages, i.e. 24 out of 31.
- 7.25. In terms of the cityscape, the low-lying nature of the city centre means that from many vantage points to the north and the south the site is looked down upon and so the proposal would, likewise, to varying degrees be either looked down upon or across at. It would also tend to be viewed in conjunction with other landmarks both those which are formally recognised by the CDP, e.g. North Cathedral and St. Anne's Shandon Tower, and the Elysian Tower and R & H Hall's Silos, which are not, but which function as landmarks, too. The similarity of the proposal in height to the Elysian Tower, a modern apartment building, and its proximity some 300m to the south of the subject site, would invite comparisons with this Tower, especially, although the longer western and eastern elevations would invite a comparison with the lower R & H Hall's Silos, too.
- 7.26. The subject site lies towards the eastern end of the city centre island. The applicant has outlined how the eastern end was historically separate from the remainder of the island and how it developed as part of the port and rail area of the city. Accordingly, this area is distinguishable from other areas of the city centre island. Today, it is an area in transition with the modern Central Bus Station to the north of the site, new office and hotel developments to the south, and older buildings to the east and west. Given this transitional status, the parties have discussed the suitability of the site

for a new landmark building. The appellant refers in this respect to another proposal that they are aware of for the eastern extremity of the island, which would be a gateway site and so it would, self-evidently, be a candidate for a landmark building. While the subject site would not be a gateway site as such, it would, if developed as proposed, become a focal point for the north/south and east/west routes that bound it, i.e. Brian Buru Street and Bridge/Clontarf Street and Bridge and Oliver Plunkett Street Lower and Oliver Plunkett Street. In the latter case, as Oliver Plunkett Street runs from Grand Parade, the proposal would present as a destination building, too.

- 7.27. As a tall building, the proposal would introduce a new landmark to the city skyline, which would be visible within some of the linear views and views and prospects identified in the CDP. One linear view, denoted as TP 1, runs along Deane Street on the western side of the site. But for a slender canopy at third floor level, the proposed building would not extend beyond the western boundary of the site and so this linear view would be maintained, albeit that its eastern parameter would be much more sharply defined.
- 7.28. Within the wider area of the subject site there are a number of buildings of conservation interest, the settings of which would be affected by the proposal, i.e. the 4 storey historic warehouses at Nos. 7, 8 & 9 Parnell Place, which are protected structures (ref. nos. PS 271 – 273), and the former Cork Savings Bank and the former Provincial Bank of Ireland³ at the southern end of Parnell Place, which are protected structures (ref. nos. PS 157 & 378). The applicant's photomontages numbered 4 & 5 show the warehouses in relation to the proposal and photomontages 6⁴ & 7 show the former banks in relation to the same. The proposal would appear as a tall, light, contemporary building in the background to these buildings. While it would contrast with their traditional and classical, solid, architecture, this proposal would inevitably and intentionally be a prominent and eye-catching feature within their respective settings from riverside vantage points. I note in this respect the concerns of the City Conservationist. I note, too, that at the appeal stage that the various conservation bodies consulted have not commented.

³ NIAH ref. no. 20514283 gives this building a national rating.

⁴ This photomontage is supplemented by other ones presented by the applicant at the appeal stage in their TVIA by way of response to the appeal.

7.29. Turning from the scale of the city/town to the scale of the district/neighbourhood/ street, the requirements summarised under paragraph 7.17 above fall to be considered. The applicant's TVIA emphasises that the architectural quality of the proposal is such that its introduction to the subject site within its nearer and wider contexts would be beneficial. I accept that the proposal would be of high architectural quality and I would comment as follows upon its height:

- With respect to nearer contexts that afford views of either all or most of the proposed building, it would be clearly visible and legible and there would be a sense of drama in the contrast that would arise between the design and height of this building and much lower buildings nearby, e.g. photomontages 2 and 9 depicting the North Channel riverside and the aforementioned north/south route, respectively. The first of these photomontages shows the elongated modern linear form of the Central Bus Station with its resulting horizontal emphasis counter-balanced by the verticality of the proposal behind it, while the second shows a mixture of older and newer buildings of more conventional form amongst which the proposal would be sited.
- With respect to wider contexts that afford views of only the uppermost floors of the proposed building, visibility would be reduced and, along with that, legibility, e.g. photomontages 3, 11, and 12 depicting North and South Channel riversides. I note that the insertion of a tall building within an existing city centre will inevitably give rise to only partial views from certain vantage points where existing buildings lie in between the viewing point and the subject site. I note, too, that as discussed under paragraph 7.22, the visual impact of the proposed western elevation upon such views would be eased by the inclusion of vertical finishes within its design. The visual impact of the proposed eastern and southern elevations would be eased by the buildings transparency.

Several views of the proposed building from the west would be available from the busy east/west pedestrian route composed of Oliver Plunkett Street Lower and Oliver Plunkett Street, e.g. photomontages 5 and 26. As discussed under paragraph 7.26, within these views this building would present as a destination building at the eastern end of the route and so it would contribute to its legibility.

7.30. By way of summary, I take the view that the proposal would exhibit a well-considered design, which would of a high novelty factor within its nearer and wider contexts. As such it would add to the variety of building typologies in Cork city centre. The location of the subject site at the intersection of importance north/south and east/west routes means that the proposal would act as a focal point and thus a landmark/destination building. The legibility of the city centre would be served thereby. The design and height of the proposal would ensure that its impact upon the streetscape and attendant local views would be dramatic and memorable. While it would be prominent within the setting of several historical buildings within the vicinity of the site, this proposal would read as an unmistakably modern intervention and so resulting views would present striking contrasts. I, therefore, conclude that the proposal would enhance the cityscape and streetscape of Cork city centre and it would be in the interest of visual amenity.

(iii) Other impacts

7.31. The UDBH Guidelines itemise several specific assessments that may be necessary when tall buildings are being proposed. These assessments are in addition to the lighting/overshadowing analysis referred to under paragraph 7.14. Of them, I consider that the following would be of relevance to the current proposal:

- Micro-climatic effects and mitigation measures, as appropriate,
- Retention of important telecommunication channels, and
- Maintenance of safe air navigation.

(Given the subject site's city centre location, I do not anticipate that sensitive bird and/or bat areas are likely to be present either on this site or within its vicinity and so an assessment in these respects would appear to be superfluous).

7.32. As the application and its decision pre-date the Guidelines, the applicant has neither addressed the above cited subjects nor lighting/overshadowing. In order to fully assess the current application/appeal, the Board my wish to seek further information on these subjects.

7.33. I conclude that in the absence of specific assessments of the proposal with respect to lighting/overshadowing, micro-climatic effects, telecommunications, and air navigation, it would be premature to grant planning permission to the same.

(iv) Public transport, traffic, access, and parking

- 7.34. The subject site is adjacent to the Central Bus Station and 0.65 km away from Cork's Kent Railway Station, where there is a Coca-Cola Zero Bikes Stand. Thus, it is conveniently situated for these existing public transport hubs.
- 7.35. At the application stage, CIE submitted a series of observations on the proposal from the prospective of Bus Eireann, which uses the Central Bus Station. These observations pertain mainly to the construction phase of the proposal, but they do also request that the applicant take into account normal noise and vibrations associated with the operations of the Bus Station in the design of its building.
- 7.36. The proposal would not be accompanied by any car parking spaces. The CDP raises no objection, in principle, to the absence of such provision. Thus, the expectation is that staff would either use public transport or they would walk or cycle to work. Any car borne staff would be expected to use existing public car parks in the city centre or the park and ride schemes that operate in Cork City.
- 7.37. The applicant states that the city centre is readily walkable. Staff residing either in or close to the city centre could thus be expected to walk. Cycling would also be an option, although the applicant states in the submitted Traffic and Transport Assessment (TTA) that the limited size of the site would militate against the provision of workplace-based cycle stands. Attention is drawn to the Coca-Cola Zero Bike Stands that exist on Clontarf Street, Parnell Place, and Lapp's Quay. (Three cycle stands also exist on the eastern side of the Central Bus Station). Attention is also drawn to discussions between the applicant and the Planning Authority as to the provision of further cycle stands off site. I consider that these discussions are of importance as the Coca-Cola Zero Bikes would be of limited utility to commuters. In this respect, condition 22 of the draft permission envisages the provision of 40 no. high quality covered cycle stands within 500m of the site. If the Board is minded to seek further information with respect to the subjects cited under the third heading of my assessment, then it may wish to enquire after the said discussions, too.
- 7.38. Under further information at the application stage, a Stage 1 Road Safety Audit was submitted. This Audit recommended, amongst other things, that a raised table top crossing be constructed across the southern end of Deane Street and a junction plateau be constructed across the northern end of this Street and the adjoining

access point to the Central Bus Station. This recommendation was accepted by the applicant and incorporated in the draft permission under condition 34. I consider that these measures would be of importance in ensuring that the subject site, which presently forms an island within the street network, is formally tied into points to the west that are used by pedestrians. They would improve pedestrian safety and thus enhance the accessibility of the proposed pedestrian access to the building, which would be from the north east, off Clontarf Street.

7.39. I conclude that the proposal would be well-placed to avail of public transport and, subject to an increase in the provision of cycle stands within the vicinity of the subject site, sustainable modes of transport. Within this context and given the city centre location of the subject site, the absence of any car parking provision within the proposal would not warrant objection.

(v) Water

7.40. The site is in Cork city centre wherein public water mains and separate public foul and surface water sewers exist in the surrounding streets. The applicant has submitted an Engineering Planning Report within which it outlines how connections to the said public infrastructure would be made in Deane Street, the adjoining street to the west of the site. Irish Water and the City Council's Drainage Division have raised no in principle objections to such connections, subject to the pursuit of standard procedures and compliance with standard conditions.

7.41. The site is the subject of a Flood Risk Assessment (FRA), which has been prepared by the applicant. This Assessment identifies fluvial and tidal flood risks that pertain to the site, i.e. 1 in 1000 year and 1 in 200 year, respectively. For the purposes of the Planning System and Flood Risk Management (PSFRM) Guidelines, the site lies within Flood Zone A and, as the proposal is for offices, the proposed after use would be classified as "less vulnerable". Accordingly, under Table 3.2 of these Guidelines, the proposal is required to be the subject of the Justification Test set out under Box 5.1.

7.42. The FRA acknowledges that, under the Lower Lee (Cork City) Drainage Scheme, design flood levels for the North Channel and the South Channel of the River Lee within the wider vicinity of the site would be 3.1m OD and 3.08m OD, respectively. If

allowance is made for climate change (+0.55m) and freeboard (+0.3m), then the recommended flood defence level for the site would be 3.95m OD.

- 7.43. Public footpaths that surround the site have a level of c. 2.8m OD, thereby posing a constraint upon the proposed ground floor level, which would be 3.4m OD. As the recommended flood defence level would be 3.95m OD, the shortfall of 0.55m would be addressed by means of flood defence measures, which the applicant delineates as follows: "Flood-proofing of the building envelope up to the flood defence level, installation of demountable barriers at all entrances and along vulnerable lengths of the façade, non-return valves on all drains exiting the building and sealing of all service ducts penetrating the defence line." Residual risks would be addressed by means of a Flood Emergency Response Plan.
- 7.44. Returning to the Justification Test required under Box 5.1 of the PSFRM Guidelines, I will run this Test as set out below:
- 7.45. Item 1 refers to zoning of the site under a CDP, which has been prepared in the light of the Guidelines. As discussed under the first heading of my assessment, the subject site is zoned City Centre Retail Area. The proposal is for offices, which would add vibrancy to the transitional area in question, and so it would be an appropriate land use. The adoption of the CDP came several years after the introduction of the Guidelines and so the said zoning is admissible.
- 7.46. Item 2(i) refers to an FRA, which demonstrates that the proposal would not increase flood risk elsewhere. In this respect conveyance, storage, and surface water run-off are of relevance.
- At present, the site is enclosed by walls around its perimeter and so it does not contribute to the conveyance of water, which would ordinarily run along the surrounding streets.
 - The site lies within Morrison Island, which is protected by quayside walls that effectively negate its role as a natural flood plain and thus an area for flood water storage. These walls are due to be increased in height under the above cited Lower Lee (Cork City) Drainage Scheme.

- Under the proposal, surface water run-off would incorporate where possible SuDS methodologies and it would discharge to the public system at the requisite rate.

7.47. Item 2(ii) refers to an FRA, which demonstrates that the proposal would minimise flood risk. The discussion of this proposal set out under paragraphs 7.42 and 7.43 demonstrates the same.

7.48. Item 2(iii) refers to an FRA, which demonstrates that residual risk would be capable of being managed satisfactorily. The applicant's Flood Emergency Response Plan demonstrates the same.

7.49. Item 2(iv) refers to the fulfilment of wider planning objectives with respect to good urban design and vibrant and active streetscapes. In the light of my discussion of the proposal under the second heading of my assessment, these objectives would be fulfilled.

7.50. I, therefore, conclude that the proposal would pass the relevant Justification Test and so it would be compatible with the identified flood risk that is attendant upon the site.

(vi) Appropriate Assessment

7.51. The site is a serviced city centre site, which is neither in nor near to a Natura 2000 site. The nearest such sites are the Great Island Channel SAC (site code 001058) and the Cork Harbour SPA (site code 004030).

- With respect to the former site, I am not aware of any source/pathway/receptor route between the site and this SAC, except via the public sewerage system. As discussed under the fifth heading of my assessment, no objection has been raised to the proposal's reliance upon this system and no capacity issues have been raised that might have a bearing on pollution within the said SAC.
- With respect to the latter site, the seabirds which are identified as the qualifying interests for the SPA are unlikely to use the site for roosting and foraging, due to its urban character.

7.52. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be

likely to have a significant effect on European Sites Nos. 001058 and 004030, or any other European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Conclusion and Recommendation

- 8.1. Under my assessment of the proposal, I have discussed the recently changed policy context within which tall building proposals for city centres are to be considered. I have concluded that, notwithstanding the provisions of the Cork City Development Plan 2015 – 2021, the provisions of the Urban Development and Building Heights Guidelines take precedence. I have concluded, too, that the design and height of the proposal would be appropriate to the site within its context and so the aforementioned precedence can apply.
- 8.2. Under my assessment of the proposal, I have also discussed the absence of several specific assessments identified by the aforementioned Guidelines. I take the view that these assessments are needed to ensure that this proposal can be fully assessed and so their absence means that I am not in a position to recommend that permission be granted. The Board may wish to seek their submission under a request for further information.

9.0 Reasons and Considerations

Under the Urban Development and Building Heights Guidelines for Planning Authorities, reference is made to the need for lighting/overshadowing analysis of proposed tall buildings and to specific assessments with respect to the micro-climatic effects of proposed tall buildings and their possible impact upon telecommunications and air navigation. The applicant has omitted to address these subjects in its submitted application and so a full assessment of the currently proposed tall building for the subject site has not been facilitated. In these circumstances, it would be premature to accede to a grant of planning permission, as the proper planning and sustainable development of the area would not be capable of being assured.

Hugh D. Morrison
Planning Inspector

8th May 2019