



An
Bord
Pleanála

Inspector's Report ABP-303020-18

Development	Extension to St Finbarre's Car Park.
Location	Corner of Sharman Crawford Street and Wandesford Quay, Cork.
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	18/38037
Applicant(s)	CeanCullig Investments Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	CeanCullig Investments Limited
Observer(s)	None
Date of Site Inspection	17 th January 2019
Inspector	Elaine Power

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 558sqm. It is located in the city centre, approx. 120m south west of the city centre island. It is bound to the north by an existing 4-storey red-brick mixed use building, comprising commercial use at ground floor and residential above, to the south by Saint Aloysuis Secondary School, to the west by the existing St. Finbarre's car park and to the east by Sharman Crawford Street.
- 1.2. The site is currently vacant. It previously accommodated a warehouse which was demolished in 2017. There is an existing vehicular access to the site from Sharman Crawford Street.

2.0 Proposed Development

- 2.1. It is proposed to construct a 4-storey extension to an existing multi-storey car park which is operated by Q-Park. The proposed development comprises an additional 100 no. car parking spaces. It is proposed that 60 no. car parking spaces at second, third and roof level would be available for general use and 40 no. spaces at ground and first floor levels would be reserved for a car hire use. An associated car hire office is proposed within the existing car park adjacent to the entrance on Wandesford Quay.
- 2.2. Access to the additional car parking spaces is to be provided via the existing entrance to St. Finbarre's multi-storey car park on Wandesford Quay.
- 2.3. The proposed external materials include a selected brick, a smooth render and a metal mesh screen. The existing car park has a red brick and smooth render finish.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for 3 no. reasons.

- 1. Having regard to the zoning of the site as an 'Inner City Residential Neighbourhood' within the Cork City Development Plan 2015-2021 (Ref: Map 1, Volume 2), wherein it is the objective of the City Council to 'reinforce the residential character of inner-city residential neighbourhoods, while supporting the provision and retention of local services, and civic and institutional functions'. The proposed development would constitute an incongruous development type within such an area and would by reason of its operation materially contravene this objective and would seriously injure the amenities of the residential properties in the vicinity, contrary to the proper planning and development of the area.*
- 2. Cork City Council is committed to encouraging alternatives to the private car and encouraging a shift toward increased use of sustainable transport. It is also committed to maximising the use of existing (authorised) car parks, many of which are not used to full capacity at present (Refs: Objective 5.1, 5.26, Paragraphs 5.42 – 5.44 and Chapter 5 of the Cork City Development Plan, 2015-2021). Having regard to the capacity of the existing car park and the proximity of other car parks in the City Centre the proposed increase in capacity of the existing car park would undermine efforts to implement measures that would assist in modal shift to sustainable transport modes and would materially contravene stated policy objectives, contrary to the proper planning and development of the area.*
- 3. Having regard to the location of the site opposite the South Parish Architectural Conservation Area (Ref. Map 2, Volume 2 and Volume 3 of the*

Plan), the historic character of Sharman Crawford Street, the proposed development by reason of its design / elevational treatments and extent of dead frontage would damage the visual amenities of the area and materially contravene Objectives 9.29, 13.21 and 16.3 of the Cork City Development Plan 2015-2021. The proposed development would result in a visual discordant feature in this area and would therefore adversely affect the South Parish A.C.A contrary to the proper planning and development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Area Planners report (22nd October 2018) raised serious concerns regarding the proposed development, in particular compliance with the zoning objective for the area and development plan policies and objectives, implications for transportation within the city and the impact on existing residential and visual amenities. It was recommended that permission be refused for the reasons stated above.

3.2.2. Other Technical Reports

Transport and Mobility Report – Recommended that permission be refused as the development was not in accordance with development plan policy and does not assist in modal shift to sustainable modes of transport.

Roads Design (Planning) Report – Endorsed the recommendation of the Traffic and Transportation Report and recommended that permission be refused.

Drainage Report – No Objection

Environmental Report – No Objection

3.3. Prescribed Bodies

Irish Water – No objection

3.4. Third Party Observations

None

4.0 Planning History

Reg. Ref. 08/33164: Permission was granted in 2008 for the demolition of a disused commercial warehouse and the construction of an extension to St. Finbarre's public car park comprising of 80 no. car parking spaces at first, second, third and roof level, 6 no. ground floor commercial units with associated signage and the change of use of the existing ground floor car parking unit at the junction of Wandesford Quay and Sharman Crawford Street to retail use and incorporation into the existing retail unit fronting Sharman Crawford Street on a larger site at the junction of Wandesford Quay and Sharman Crawford Street which incorporated the subject site.

Condition No. 2 attached to the grant of permission omitted 22no car parking spaces at first floor level and provided additional retail space to link with the ground floor units.

The warehouse has been demolished however this development has not been completed to date. An extension to the duration of the permission was granted in 2013 which extended the permission until November 2018.

Reg. Ref. 97/21739 / PL28.106070: permission was granted in 1997 for St. Finbarre's Car Park, a multi-storey car park to the west of the subject site.

5.0 Policy Context

5.1. Cork City Development Plan 2015 - 2021

The site is located in an area zoned Z0 3 – Inner City Residential Neighbourhood with the associated objective *'to reinforce the residential character of inner-city*

residential neighbourhoods, while supporting the provision and retention of local services, and civic and institutional functions.

Chapter 5 - Transportation has a number of policies and objectives which aim to reduce traffic congestion in the city centre and promote sustainable modes of transport. The following policies are of relevance.

Objective 5.1(b), (k) and (l) – Strategic Transport Objectives

b. To reduce the percentage of persons who drive to work to 60% by 2021;

k. To control the supply and price of all parking in the city in order to achieve sustainable transportation policy objectives, while recognising the need to maintain economic vibrancy until more gaps in the existing alternative transportation systems are filled;

l. To encourage the use of innovative measures to reduce the requirement for car parking;

Objective 5.25 - Multi-Storey Car Parks: *‘No new multi-storey car parks shall be permitted on the City Centre Island’.*

Objective 5.26 - Balanced Parking Provision: *‘Cork City Council will discourage long-term commuter parking in the City Centre while ensuring adequate but not excessive parking provision for short-term shopping, business and leisure use. Transitional, temporary parking arrangements outside the City Centre for new City Centre office developments may be open for consideration, subject to the sequential test, conditions attached to planning, and preparation of a Travel Plan’.*

Appendix 3 –South Parish Architectural Conservation Area states *‘the area is under increasing pressure from traffic, has difficulties with parking and has a poor-quality public realm which detracts from its amenity for residents and businesses. It is important that this be improved to encourage greater use of the existing building stock in a way that makes best use of its potential. There are also some vacant and*

under-utilised plots in the area, with scope for development to increase amenity and to reinforce the strong existing character of the area’.

The following Built Heritage and Urban Design Policies are also considered relevant.

- Objective 13.1 - Strategic Objectives – City Centre and Docklands
- Objective 13.21 – City Centre Design Quality and Context
- Objective 16.3 – Urban Design

The site is located within a zone of archaeological potential as identified in Chapter 9 of the Development Plan.

5.2. Natural Heritage Designations

There are no relevant designated areas in the immediate vicinity of the site.

5.3. EIA Screening

Having regard to the nature and scale of the proposed development and the location of the site, it is concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. 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

6.1.1. This is a first-party appeal by Cunnane Stratton Reynolds on behalf of the applicant against the Planning Authorities decision to refuse planning permission. The appeal sets out the history of the site and the context for the proposed development. The main grounds of the appeal relate to the reasons for refusal and are detailed below.

- 6.1.2. The proposed development is in accordance with Local and National Planning Policy. The residential zoning objective for the site is acknowledged, however, the proposed development does not contravene the Development Plan or the zoning objective for the area. Residential and office uses were considered for the site, however, they were not considered to be viable due to the location and restricted nature of the site.
- 6.1.3. The proposed development is a modest extension to an existing car parking that frequently reaches capacity. Due to the location of the site, outside of the city centre, it will not cater for long term commuter parking. It serves the adjacent courthouse, hospital, university and a proposed 6,000 capacity event venue.
- 6.1.4. There is limited availability of on-street car parking on the western approach roads to the city. There is a spatial imbalance in car parking provision within the city, with the majority of car parking provided to the north and east of the city. St. Finbarre's car park is smaller than other car parks within the city. The development will address the imbalance of car parking on the western side of the city and will increase the viability of the west city centre by encouraging shoppers to enter the city on foot and utilise services and facilities in the Washington Street area. The additional spaces are needed for shopping, business and leisure uses in the city to allow it to compete effectively with suburban shopping centres.
- 6.1.5. A letter of support from the Cork Chamber of Commerce is attached to the appeal which recognises the need for additional short-term car parking within the area to encourage shoppers.
- 6.1.6. The proposed development will not increase traffic within the city centre. The location of the car park will allow for a 'park and walk' arrangement for the city centre. It will decrease congestion and increase pedestrian permeability. The car rental facility will allow people who do not own a car to live in the city.

6.1.7. A revised Traffic Assessment and a 24-hour traffic survey were submitted with the appeal and concluded that the development does not impact on traffic movements on Wandesford Quay.

6.1.8. The Planning Authority incorrectly identified the site as being in an Architectural Conservation Area (ACA). The site is not within an ACA but is adjacent to the South Parish Architectural Conservation Area. The ACA comprises insituational buildings which range in architectural style. The east elevation of the proposed car park which adjoins the ACA has a vertical emphasis with window openings. The external materials include brick and smooth render which complement the heritage of the area. The scale and form of the development integrates well with the surrounding urban fabric. A mesh has been provided to limit the extent to which the car park elevation is visible from the street. The development is consistent with alleviating issues identified in the ACA designation report and therefore is not contrary to the Development Plan.

6.1.9. The Planning Authority raised concerns of a 'dead frontage' however the area is dominated by high and blank walls. The proposed car hire would bring activity and vitality to the area and is an improvement on the existing vacant site. The existing car park is not screened from adjoining residents. The proposed development would be a vast improvement as the walls and security fencing would be removed along Sharman Crawford Street and the new boundary would provide continuity and harmony with the adjoining developments.

6.2. **Planning Authority Response**

No further comments.

7.0 **Assessment**

7.1. The main issues in this appeal relate to zoning, traffic and visual impact which were addressed in detail in the grounds of the appeal. Appropriate Assessment

requirements are also considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Zoning.
- Traffic.
- Visual Impact.
- Appropriate Assessment.

7.2. Zoning

7.2.1. The subject site is zoned Z0 3 – *‘Inner City Residential Neighbourhood’* with the associated objective *‘to reinforce the residential character of inner-city residential neighbourhoods, while supporting the provision and retention of local services, and civic and institutional functions’*. It is considered that the proposed multi-storey car park and associated car hire use by reason of the additional number of vehicular movements generated by the development would not comply with the residential zoning objective for the area. Section 15.3 of the Development Plan states that applications for expansion and intensification of uses which do not conform to the zoning objective for an area will be assessed on their merits, having regard to the impact on the surrounding environment.

7.2.2. The Area Planners report (22nd October 2018) considered that the proposal constituted an incongruous development type that would seriously injure the amenities of the residential properties in the vicinity.

7.2.3. There is an existing multi-storey car park with 352 no. spaces on the adjoining site and it is noted that permission was previously granted for a multi-storey car park on the subject site. As this is an application for an extension to an existing non-conforming use it should be assessed on its merits.

7.2.4. I would have concerns regarding the negative impact the intensification of the existing car park and the provision of a car rental facility with an associated increase in vehicular movements on the surrounding road network would have on the existing amenities of the adjoining residential and institutional uses. Having regard to the

location of the site, adjoining an Architectural Conservation Area and a terrace of 9no houses and the residential zoning for the area it is considered that the intensification of the car park use, and associated car rental facility would result in a development that is incompatible with the character of the area and would contravene the zoning objective. It is recommended that permission be refused on this basis.

7.3. Traffic

7.3.1. There are 7 no. existing multi-storey car parks in Cork City that provide a total of 3,303 no. car parking spaces. 4 no. car parks are located on the city centre island and 3 no. car parks are immediately adjacent to the city centre island, including the existing St. Finbarre's car park. The location of the car parks are identified in Figure 1 of the Traffic Assessment submitted with the appeal. It is proposed to extend the existing St. Finbarre's car park by 60 no. additional spaces and provide a car rental facility at ground floor and first floor level with 40 no. car parking spaces.

7.3.2. Cork City Council is committed to supporting and implementing measures which will assist a in modal shift towards sustainable travel. This commitment is reflected in Chapter 5 of the Development Plan and in particular Objective 5.1. In order to achieve this objective, it is an aim of the Planning Authority to control the supply and price of all parking in the city. It is noted that the Planning Authority raised concerns that the proposed development would undermine this objective. The Executive Engineers (Transport and Mobility) report also referenced the City Centre Movement Strategy, 2013 and the Cork Metropolitan Transport Study 2018-2040, which is currently being prepared by the National Transport Authority and considered that the proposed additional car parking spaces would undermine the policies of these documents.

7.3.3. To encourage a modal shift away from private car use the Planning Authority propose to maximise the use of existing authorised car parks before considering the construction of any new multi-storey car parks and note that many existing car parks

are not used to their full capacity at present. No new multi-storey car parks are open for consideration on the City Centre Island.

7.3.4. The applicant has stated that the existing St. Finbarre's car park is the only multi-storey car park serving the western side of the city. That it has an occupancy rate of 84% on a normal weekday and at times reaches capacity. It is also stated that the car park serves a number of uses in the area, including the university, hospital and the courthouse. It is noted that no letters of support from these institutions stating a requirement for additional car parking or a link to the existing St. Finbarre's car park have been submitted with the appeal. Having regard to the number of car parking spaces available in multi-storey car parks, in addition to available on-street car parking and parking within private sites I am not satisfied that the applicant has demonstrated there is an insufficient supply of car parking in the immediate vicinity of these institutions and within the city centre.

7.3.5. The original Traffic Assessment included a traffic count that was carried out in August 2018. The Planning Authority raised concerns that due to the time of year the count was undertaken it was not reflective of traffic movements in the area. The applicant has submitted a revised Traffic Assessment with a 24-hour traffic count carried out on 13th November 2018. In my opinion the November count provides a more accurate account of traffic movements. The traffic count was carried out at the junction of Wandersford Quay and the access to the existing car park. Due to the limited number of additional car parking spaces proposed it is considered that the assessment of a single junction is acceptable in this instance.

7.3.6. The count showed that during the AM peak (08.00 – 09.00) 87 no. vehicles arrived at the car park with a 70:30 split in favour of vehicles turning left into the car park. 3no vehicles exited the car park. During the PM peak (17.00 – 18.00) 91 no. vehicles exited the car park with a 78:22 split in favour of vehicles turning right out of the car park. 5 no. vehicles entered the car park.

7.3.7. The capacity of the junction was modelled using PICADY for the base year (2018), opening year (2019) and the design year (2034) using the original traffic count data from August 2018. The base year (2018) data was updated using the November 2018 traffic count figures. The model showed that Wandersford Quay was operating at 10% of its capacity and the proposed development would not impact on existing traffic flows on the surrounding road network.

7.3.8. It is acknowledged that the proposed development would not impact on traffic flows on the surrounding road network and that car rental facilities can help support a shift towards more sustainable transport. It is also noted that the site is located outside of the city centre island. However, I am not satisfied that the applicant has demonstrated that there is an insufficient supply of car parking in the city. The provision of additional car parking in close proximity (approx. 120m) to the city centre island would contravene Objective 5.1 and undermine the Planning Authority's aim to supply and control all car parking in the city to encourage a transition towards more sustainable modes of travel. It is recommended that permission be refused on this basis.

7.4. Visual Impact

7.4.1. The proposed building is rectangular in shape and has a gross floor area of 2,563sqm. It is approx. 22m in width by approx. 32m in depth. It is four storeys with a maximum height of 14.1m. The existing St. Finbarre's car park has a maximum height of 13.6m. The development sits at the boundary with Sharman Crawford Street and the party boundary with Saint Aloysuis Secondary School. The proposed external materials include brick and smooth render. To reduce the visual impact of the car park it is also proposed to provide a metal mesh screen to the openings on the eastern elevation, which fronts onto Sharman Crawford Street. Due to the proximity of the development to the site boundaries and the geometry of Sharman Crawford Street, the rear (southern) and side (eastern) elevations are highly visible. I have concerns that the design of the building at this prominent location would have a negative impact on the visual amenities of the area and would not reinforce the residential or institutional character of the area.

- 7.4.2. The site adjoins the South Parish Architectural Conservation Area (ACA) which has a distinctive architectural and historic character. The ACA mainly comprises institutional lands and there is a terrace of 9 no. two-storey dwellings located directly opposite the subject site on Sharman Crawford Street. To the south east of the site, adjoining the terrace of houses is Saint Maire of the Isle Convent which is protected structure (ref. PS313). Directly south of the subject site is Saint Aloysius Secondary School. The Development Plan notes that the ACA area is under pressure from traffic and has a poor-quality public realm which detracts from its amenity for residents and businesses. The aim for the area is to increase amenity and reinforce the strong existing character of the area.
- 7.4.3. The Planning Authority raised concerns that the eastern elevation of the proposed development would result in excessive dead frontage onto Sharman Crawford Street and the southern elevation, which adjoins St. Aloysius School and would not improve the visual amenities of the area and would result in a building that is incompatible in use and form.
- 7.4.4. It is proposed to provide a car rental service at ground and first floor levels with an associated office unit fronting onto Wandesford Quay. The car rental facility is entirely contained within the car park and the proposal does not include any direct links or signage onto Sharman Crawford Street. The proposed development would not provide an active frontage onto Sharman Crawford Street or result in any improvement to the public realm.
- 7.4.5. It is acknowledged that the subject site is vacant, and that Sharman Crawford Street is characterised by institutional buildings with associated high walls. However, having regard to the nature and design of the proposed building, the prominent location of the site and the proximity to the ACA I would have serious concerns that the proposed development would be visually obtrusive and negatively impact on the residential and visual amenities of the area. It is recommended that permission be refused on this basis also.

7.5. **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

8.0 **Recommendation**

I recommend that permission be refused for the reasons stated in the attached schedule.

9.0 **Reasons and Considerations**

1. The site is located in an area zoned objective Z0 3 - Inner City Residential Neighbourhood in the Cork City Development Plan 2015-2021 with the associated objective to *'reinforce the residential character of inner-city residential neighbourhoods, while supporting the provision and retention of local services, and civic and institutional functions'*. The proposed development by reason of its use would contravene the residential zoning objective. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the evidence provided in relation to the capacity of the existing car park and the availability of car parking within the city centre it is considered that the proposed development would contravene Policy Objective 5.1 of the Cork City Development Plan 2015-2021 and would undermine the City Councils efforts to implement measures that would encourage a modal shift to sustainable transport. The proposed development would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the prominent location of the site which adjoins the South Parish Architectural Conservation Area it is considered that the proposed development by reason of its design, would be visually obtrusive, would constitute an incongruous form of development on the streetscape that would be detrimental to the distinctive architectural and historic character of this area and would, therefore, seriously injure the amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Elaine Power
Planning Inspector

4th March 2019