



An
Bord
Pleanála

Inspector's Report ABP-306841-20

Development	Demolition of existing retail unit and construction of three storey, 13-bed guest house, with associated dining room, professional kitchen and reception area, connection to public services and all associated site works.
Location	Kinsale Tile Store, Guardwell, Kinsale, Co. Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	19/06935
Applicant(s)	Denis Noel O'Mahony
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party -v- Decision
Appellant(s)	Denis Noel O'Mahony
Observer(s)	Brian O'Neill Kinsale Union of Parishes Select Vestry

Date of Site Inspection

Frank Kennedy

21st May 2020

Inspector

Hugh D. Morrison

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Authority Reports.....	6
4.0 Planning History.....	7
5.0 Policy and Context.....	7
5.1. Development Plan.....	7
5.2. Natural Heritage Designations	8
5.3. EIA Screening	8
6.0 The Appeal	8
6.1. Grounds of Appeal	8
6.2. Planning Authority Response	9
6.3. Observations	9
6.4. Further Responses.....	11
7.0 Assessment	11
8.0 Recommendation.....	18
9.0 Reasons and Considerations.....	19

1.0 Site Location and Description

- 1.1. The site is located in the NW portion of Kinsale town centre on the W side of Guardwell and in a position adjacent to the junction between Guardwell, the E/W route of Market Square/Church Street, and Cork Street to the N. To the W of the site is the historic church of Saint Multose, which is set within its own grounds that are at raised level in relation to the buildings on Guardwell.
- 1.2. The site is “L” shaped in plan-view and it extends over an area of 0.030 hectares. This site presently accommodates “The Tile Shop”, which is a single storey lean-to building that covers the entire site. This building is attached to the top of the retaining/boundary wall to the aforementioned grounds, i.e. its mono-pitched roof slopes downwards from the coping on this wall.
- 1.3. The site “warps around” the S and W sides of the neighbouring site of a two-storey public house, “The Tap tavern”. It thus abuts an alleyway and beer garden, which serve this public house. Further to the N, the site abuts “The Sea Garden”, a walled in public seating area with shrubberies, and to the S it abuts the side elevation of Kinsale Suites, a street-fronted, five-storey apartment building with “sunken” gardens to the rear, i.e. they are enclosed by the retaining/boundary wall to the aforementioned church grounds.

2.0 Proposed Development

- 2.1. The proposal would entail the demolition of the existing building (274 sqm) on the site and its replacement with essentially a three-storey building (617 sqm), which would accommodate a 13-bed guest house, with an associated dining room, professional kitchen, and reception area.
- 2.2. The principal elevation of the proposed building would present to Guardwell as a two-and-a-half storey one, due to the specification of half dormer windows at second floor level. In the rear elevation, only this second floor level would be visible above the boundary wall to the church grounds beyond. The most northerly elevation would, likewise, be of two-and-a-half storeys, again, due to the specification of half dormer windows at second floor level. However, only part of the first and all of the second floor levels would be visible from public vantage points on Church Street and

Cork Street. This elevation would be accompanied by a single storey lean-to element, beyond which would be a yard. A courtyard would also be laid out in the SW corner of the site and a light well would be formed at a central point along the S boundary.

- 2.3. Under unsolicited FI, the applicant omitted proposed bedroom no. 202 in order to ensure that openings in the adjoining Kinsale Suites building would be capable of being respected. The residual portion of the said bedroom was re-specified as a linen store.
- 2.4. At the appeal stage, the applicant omitted the second floor from the northern arm of the proposed building. Two bedrooms would thereby be lost and so the proposal would now be for a 10-bed guesthouse.
- 2.5. As originally submitted, the roofscape of the proposed building would have comprised double pitched forms at the ends of the N and E arms with a continuous flat roof between them, albeit with subsidiary sloping planes in places. Under the revised proposal, two separate flat roofs would be specified in place of the originally proposed continuous one.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reason:

The proposed development by reason of its scale, bulk, form, design, massing and materiality would constitute overdevelopment of a challenging narrow site, and would be detrimental to the setting and visual character of St. Multose Church a Recorded Schedule Monument (Ref: CO112-034 05 & 04) which commands a special prominent position within the core of the ACA. The proposal would materially contravene Policy Objective TC4 which supports mixed-use development where it is in keeping with the unique character of the area, Policy Objective AA1 which seeks to safeguard archaeological heritage (i.e. its setting) and Policy Objective ACA2 in the Kinsale Town Development Plan 2009 as the development would not conserve or enhance the character or appearance of the ACA. The proposed development would adversely affect an ACA and would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

See decision.

3.2.2. Other Technical Reports

- HSE (Environmental Health): Advisory note.
- Irish Water: No objection: standard notes.
- Cork County Council:
- Conservation Officer: Objects for the following reason:

It is considered that the proposed development by reason of its scale, form, design and massing would constitute overdevelopment of a limited site area, create a visually discordant feature that would be detrimental both physically and visually to the distinctive architectural and historic character of St. Multose Church which is of national importance, and the designated ACA. The proposed development would, therefore, materially and adversely affect the character of St. Multose Church and the visual amenities of the ACA and would be contrary to the proper planning and sustainable development of the area.

- Architect: Objects for the following reason:

By virtue of the overdevelopment of the site, its poor level of integration with surrounding buildings, its weak front elevational design and roof design, its challenge on the existing site boundary walls and conditions, the absence of provision for proper internal qualitative spatial planning...poor levels of internal natural day lighting and quality natural ventilation with no provision for integration of building services or utilities, I consider the design to be...unacceptable...

- Environment: No objection, subject to conditions.
- Archaeology: Further information requested:

The proposed development is redesigned omitting the building to the rear of the site and the redesign is assessed in terms of its visual impact on the setting of St. Multose Church and Graveyards...both in terms of views to and from the archaeological monument. The visual assessment shall be accompanied by a photomontage.

- Area Engineer: Reservations expressed over the intensity of the proposed use and the absence of dedicated off-street car parking, as opportunities to fund public car parking spaces by means of financial contributions in-lieu are not anticipated.

4.0 Planning History

Site

- 08/53032: Three storey building to comprise a shop and associated office and 3 apartments: Permitted, subject to conditions which required, amongst other things, that the one-bed apartment be omitted from the roofspace, the fenestration at first and second floor levels in the front elevation be redesigned, and the height of a rear wall be reduced.

Adjoining site to the SE

- 64/94: Demolition of bakery and construction of 3 commercial units and a tourist hotel: Permitted.

5.0 Policy and Context

5.1. Development Plan

Under the Kinsale Town Development Plan 2009 – 2015 (TDP), the site is zoned TC4 “Established town centre incorporating mixed-use development in keeping with the unique character of the area.” This site is also shown as lying within the Kinsale ACA. It is adjacent to St. Multose Church, which is included in the NIAH and deemed to be of national interest.

Objective HE 4-5 of the Cork County Development Plan 2014 – 2020 (CDP) addresses ACAs. Item (c) states “Ensure new development within or adjacent to an ACA respects the established character of the area and contributes positively in terms of design, scale, setting and material finishes to the ACA.”

The TDP sets the following goal for its ACA: “To protect the special character of the designated ACA in Kinsale and to ensure that future development will enhance this character and contribute to the creation of a distinctive sense of place.” Policy ACA2

adds that “Proposed development within or adjacent to conservation areas will only be permitted if it would conserve or enhance the character or appearance of the area. The demolition of non-listed buildings will be granted within the ACA if they do not contribute positively to the character or appearance of the ACA.”

From an archaeological perspective, the site is within the historic town of Kinsale (CO112-034 01) and adjacent to St. Multose Church and Graveyard (CO 112-034 05 & 4).

5.2. Natural Heritage Designations

James Fort pNHA (001060)

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 – 2019, where 10 hectare-urban sites would be developed, the need for a mandatory EIA arises. The proposal is for the development of a 0.030-hectare site within Kinsale town centre. Accordingly, it does not attract the need for a mandatory EIA. Furthermore, as this proposal would fall well below the relevant threshold, I conclude that, based on its nature, size, and location, there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant draws attention to the planning history of the site and the adjoining one to the S. In 2008 the former site received permission for a larger three-storey mixed-use development, while in 1994 the latter one received permission for a five-storey building, which has subsequently been built. He expresses disappointment that the PA did not opt to use further information as a vehicle to enable any critique of the proposal to be addressed. He has now submitted revisions to his proposal, which show the omission of the second floor from the rear portion of the site.

The applicant cites policies and objectives of relevance to Kinsale and its town centre from a hierarchy of relevant plans. He then cites the following grounds of appeal:

- Overdevelopment:
 - Front elevation: While the principle of a three-storey building onto Guardwell is accepted by consultees, they express a variety of views over the design of the proposed front elevation. If the Board deems it necessary, then a condition allowing for the redesign of this elevation could be attached to any permission.
 - Rear elevation: Concern over the visual impact of the proposed rear elevation upon the adjacent St. Multose Church and Graveyard would be allayed by the applicant's revised plans.

Concern over the stability of the boundary/retaining wall to the adjoining Graveyard would be allayed by the setting back of the proposed rear elevation by 800mm. (Such an approach was adopted in the redevelopment of the adjoining site to the SE). This set back could be conditioned to be 1m to address the concerns of the Kinsale Union of Parishes Select Vestry. Additionally, prior to construction, a full site assessment would be undertaken to establish whether or not any further mitigation measures may be necessary to safeguard the said wall.

- Site coverage: Concerns over the extent of site coverage are contested insofar as the presence of the proposed courtyard and service yard would mean that 10% of the site would remain open. As the site is a brownfield one, this would be appropriate.

6.2. Planning Authority Response

None

6.3. Observations

(a) Brian O'Neill of The Tap Tavern

- The height of the proposal would exceed the observer's adjacent public house and adversely affect the performance of a chimney that heats this public house.
- Ground floor windows in the SE elevation of the public house would lose natural light, as would the adjoining alley.
- Attention is drawn to a shared boundary wall, which would be built upon. Consent for such building has not been sought and it would not be forthcoming. Clarification on how this wall would be avoided is thus required.

(b) Kinsale Union of Parishes Select Vestry

While in principle the redevelopment of the site is welcomed, the following concerns are expressed:

- With respect to the retaining/boundary wall to the grounds of St. Multose Church:
 - Any construction works would need to be setback from this wall to ensure that it is not damaged,
 - Prior to the commencement of construction works, a full record of the condition of this wall would need to be undertaken: Any existing issues with this wall should be addressed to ensure its continuation in-situ, and
 - A scheme for handling ground water run-off from this wall would need to be implemented.
 - The excavation of rock, which runs underneath the site and this wall, would need to be properly addressed.
- With respect to the streetscape of the ACA, concern is expressed that the proposal would restrict views of and from St. Multose and, in combination with Kinsale Suites, it would overwhelm the area.
- With respect to the housing shortage, the proposal would represent a missed opportunity that would thus fail to contribute to community formation or residential amenity.

- With respect to the proposed introduction of a guesthouse, concern is expressed that, as with Kinsale Suites, a further deterioration in the tranquillity of the church grounds would ensue.

(c) Frank Kennedy of Kennedy's Opticians (on the opposite side of Guardwell from the site)

Concern is expressed that the proposal would:

- Lead to a loss of the existing view of St. Multose from upper floor windows of the observer's premises,
- Lead to a loss of afternoon sunlight at the observer's premises,

Generate additional parking requirements in the area, which is already over-stretched in this respect, with adverse implications for his business.

6.4. Further Responses

None

7.0 Assessment

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

- (i) Legalities and amenity,
- (ii) Land use and design approach,
- (iii) Conservation and aesthetics,
- (iv) Archaeology,
- (v) Car and cycle parking,
- (vi) Water, and
- (vii) Stage 1 Screening for AA.

(i) Legalities and amenity

- 7.2. Observer (a) has expressed concern that the proposal would entail the construction of new elevations on shared boundary walls with the site of the neighbouring public house. Consent to construct in this manner would not be forthcoming and so clarification of the same is sought.
- 7.3. My reading of the submitted floor plans indicates that the applicant proposes to build in a manner that would retain boundary walls within the said site. In this respect, I would draw attention to the reproduction of the red edge of the application site on each of the floor plans.
- 7.4. Observer (b) also expresses concern that the height of the proposal would result in a loss of light to his alleyway and ground floor windows in his public house that overlook this alleyway. Concern is further expressed that this proposal may have an adverse impact upon the performance of a chimney that heats the public house.
- 7.5. I note that the site and the adjoining site of the public house lie within Kinsale town centre wherein suburban standards of amenity cannot reasonably be expected. I note, too, that the lighting in question has been affected by the previous development of Kinsale Suites. Clearly, the lighting of the alleyway would be further affected by the replacement of the existing single storey building with a higher one. That said, as a utilitarian space the retention of existing levels of lighting cannot reasonably be insisted upon and its presence would at least ensure that the lighting of the said windows would continue.
- 7.6. I consider that any predictions as to the future performance of the chimney to the public house are tentative. If problems were to result, then presumably they would be amenable to technical solutions.
- 7.7. Observer (c) expresses concern that the replacement of a single storey building with a multi-storey one, as proposed, would lead to a loss of sunlight and view from his premises opposite.
- 7.8. By way of response, I note that the site is in Kinsale town centre and, as discussed below under the third heading of my assessment, the said replacement would, in principle, be welcome in streetscape terms. In these circumstances, I do not consider that the observer's amenity concerns can be prioritised.

7.9. I conclude that there is no legal impediment to the Board proceeding to assess and determine the current application and appeal in the normal manner. I also conclude that the proposal would be compatible with the amenities that can reasonably be expected by neighbours in a town centre situation.

(ii) Land use and design approach

7.10. Under the Kinsale Town Development Plan 2009 – 2015 (TDP), the site is shown as lying within the town centre, wherein the zoning objective recognises the established nature of the town centre and the incorporation of mixed-use development within it, in keeping with its unique character.

7.11. The proposal would entail the replacement of an existing shop on the site with a guest house, which as finally revised would afford 10-bed accommodation. The site is located towards the NW extremity of Guardwell in a position between an apartment building, Kinsale Suites, and a public house, “The Tap Tavern”. There is an optician’s opposite the site and to the SE a variety of shops and eateries. Within this context, the introduction of a guesthouse would accord with the mixed-use objective for the area.

7.12. The site is a “L” shaped one in plan-view. It is enclosed by a retaining/boundary wall to the rear, where this site abuts the grounds of the historic church St. Multose. Likewise, its northern arm is further enclosed by high boundary walls to both a landscaped public seating area known as “The Sea Garden” and a beer garden to the rear of the aforementioned public house. The eastern arm is enclosed by the five storey aforementioned apartment building and an alleyway to the two storey public house.

7.13. The original proposal envisaged the construction of a 13-bed guest house over three floors. However, at the application stage, this proposal was amended to avoid the enclosure of windows in the adjoining apartment building, resulting in the omission of one bedroom and, at the appeal stage, the proposal was revised further, in response to the PA’s draft reason for refusal, by lowering the northern arm from three to two floors, thereby incurring the need to omit a further two bedrooms.

7.14. The PA’s architectural consultee expressed concern over the complicated design of the original proposal and the standard of amenity that would be afforded to future guests. In this respect, I note that while a courtyard and a light well would be

provided to assist with lighting and ventilation, the original quest to develop over the front and rear portion of the site in a consistent manner would mean that the amenity afforded by these features would be limited. While the subsequent amendment and revision would lead to some improvements to the amenity value of these features, this would be at the expense of complicating the design of the proposal still further.

- 7.15. I consider that the while the streetscape challenge posed by the front portion of the site is not especially great that of the rear portion is of a different order, due to its effectively sunken form and its proximity to the grounds of the said historic church. I am concerned that the design approach exhibited by the proposal fails to reflect these discrete challenges.
- 7.16. I conclude that, while there is no in principle land use objection to the proposal, the design approach adopted to the redevelopment of the site fails to sufficiently respond to the diverse challenges that exist across the site.

(iii) Conservation and aesthetics

- 7.17. Under the TDP, the site lies within the Kinsale ACA and in a position whereby it adjoins to the W the grounds of St. Multose, a historic church, which also lies in this ACA and which is identified in the NIAH as being of national interest. The said grounds lie at a raised level in relation to the site and they are retained by a stonewall, which extends upwards to form a boundary wall to these grounds. The mono-pitched roof to the single storey shop on the site at present is attached to the coping to this wall from which point its slopes downwards.
- 7.18. The front elevation of the existing shop on the site presents to Guardwell as a utilitarian building of single storey form. This shop abuts the five-storey Kinsale Suites building on its S side and it is adjacent to a two storey public house on its N side. From within the grounds of St. Multose, the shop is largely hid by the aforementioned retaining wall, i.e. it is only when standing beside this wall and looking E that the mono-pitched roof becomes visible.
- 7.19. The N side elevation of the shop is visible from the foot of Cork Street and part of it forms the backdrop to The Sea Garden. To the rear of the public house, there is an assortment of single storey extensions/outbuildings and one that presents as being of two storey form. Thus, from Cork Street, the existing shop is partially visible to the rear of these extensions/outbuildings. As it does not extend higher than the

aforementioned boundary wall, its low-slung roof does not obscure views of the historic church, and its windowless form and dark finishing materials ensure that its presence is discrete and self-effacing. Accordingly, the shop does not compete for attention with the historic church from the foot of Cork Street and so valuable coherent and attractive views of it are available from this public vantage point.

- 7.20. As originally submitted, the proposal would have entailed the constructed of a three-storey building over the majority of the site. From within Guardwell, the introduction, in principle, of such a building would remove the anomaly of a single storey shop within the streetscape. Thus, while existing partial views of St. Multose would be lost from public vantage points, I consider that from a conservation perspective, it is reasonable to seek to remove this anomaly rather than to retain these views.
- 7.21. From within the church grounds, the rear portion of the building would have been visible above the boundary wall. Thus, the complexity of the design would have been apparent with, variously, flat roofs, sloping roofs, a gabled element, and a half-dormer, all being present. Likewise, from the foot of Cork Street, the upper floors would have been visible, including the half dormer windows on the northernmost elevation and the interlocking roof form. Consequently, the setting of the historic church would have been partially reshaped in an unsympathetic manner and views of it from the foot of Cork Street spoiled by an obscuring and competing building. I, therefore, concur with the PA's draft reason for refusal, which expresses concern over the impact of the proposal upon the setting and character of St. Multose.
- 7.22. At the appeal stage, the applicant revised the proposal, by the omission of the second floor from the rear portion of the building. This revision would reduce the visibility of this portion of the building. Thus, from within the church grounds, only the topmost portion of the gable element would protrude above the boundary wall, although the flat roof and rear sloping roof plane of the eastern arm of the proposal would remain visible as before. Likewise, the visibility from the foot of Cork Street would be reduced and so the top of the half dormers only would be seen in conjunction with a lower level roofline to the northern arm. Consequently, from within the church grounds, the visible presence of the proposal would be less, although it would be fragmented and thus lacking in coherence. Similarly, from the foot of Cork Street, the proposal would be less evident, but it would appear fragmented and incoherent.

- 7.23. At the application stage, the design of the front elevation of the proposed building was the subject of critique. Thus, the specification of squared headed half-dormers and their spacing and alignment in conjunction with that of the other openings in this elevation were considered to be unsatisfactory aesthetically.
- 7.24. The applicant has responded to the aforementioned critique by inviting the Board to condition such changes as it sees fit. However, I consider that a more thorough going review of this elevation would be appropriate to ensure that it would make a positive contribution to the streetscape and, thereby, conserve or enhance the character or appearance of the ACA.
- 7.25. I conclude that in neither its original nor its revised form would the proposal meet the requirements of Objective HE 4-5 of the CDP or Policy ACA2 of the TDP, which require that new proposals make a positive contribution to their host ACAs.

(iv) Archaeology

- 7.26. The site lies within the ZON for the walled medieval town of Kinsale (SMR Nos. CO112-034001 & 2) and it is adjacent to St. Multose Church and Graveyard (SMR Nos. CO112-034003 & 4), i.e. c. 10m and c. 5m to the W.
- 7.27. The applicant has submitted an Archaeological Assessment of the site. This Assessment traces the history of this site and changes in its levels, especially over the rear western portion. The view is thus expressed that the potential for unrecorded sub-surface remains is likely to be greater in the eastern portion. Such potential is considered to be low to moderate.
- 7.28. As the entire site is covered by the existing shop, the opportunity to undertake archaeological investigations has not arisen to date. Thus, such investigations would need to be undertaken during the construction phase.
- 7.29. The proposal would be sited 800mm back from the retaining/boundary wall to the adjoining church grounds. If needs be this distance could be increased to 1m. Likewise, this proposal would be set back from the remnants of a gable wall associated with a demolished 19th Century structure along the site's northernmost boundary. Thus, there would be no direct impacts on these known features of archaeological interest.

- 7.30. Furthermore, at the appeal stage, the applicant has responded to key concerns of observer (b) by undertaking to carry out a full site assessment of the aforementioned walls with a view to identifying any mitigation measures that may be needed, prior to the commencement of construction works on the new building. Given the predicted presence of rock running from the site underneath the retaining/boundary wall, I consider that a construction methodology should also be prepared to ensure that its excavation is carried out in a manner that would not jeopardise this wall.
- 7.31. I, therefore, conclude that the proposal would, subject to investigations and assessments at the construction phase, be compatible with the need to safeguard potential and known/recorded features of archaeological interest.

(v) Car and cycle parking

- 7.32. The site lies within Kinsale town centre. The proposal, which in its final revised form would be for a 10-bed guesthouse, would generate traffic during its construction and operational phases. With respect to the latter phase, no off-street car parking spaces are proposed.
- 7.33. Under the CDP's car parking standards, a maximum of 1 space per bedroom and 1 space per 3 staff are cited for guesthouses outside of the environs of Cork City. Under Section 10.1.15, the need to meet these standards is waved for small scale infill developments in town centres, as is the need to pay a levy in-lieu of the provision of such spaces. Under Section 10.1.16, such waivers are not applied to large format town centre developments.
- 7.34. The Area Engineer's advice discusses the payment of a levy in-lieu only for this to be dismissed as futile, as he considers there to be little prospect that any additional public car parking spaces will be provide in Kinsale town centre in the foreseeable future. It is unclear whether or not he considered the aforementioned provisions of the CDP.
- 7.35. I consider that the proposal "falls between the two stools" of development outlined in Sections 10.1.15 & 16. That said, it probably falls closer to the former rather than the latter. Furthermore, given that the existing retail use of the site operates without any dedicated off-street car parking and given, too, that, as a tile shop, customers could be expected, at least some of the time, to use their own vehicles to collect

purchases, I consider that the baseline thus provided allows some leeway under a redevelopment scenario to forego such parking.

- 7.36. I consider that the proposal should provide the opportunity for cycle parking. In this respect, CDP standards indicate a minimum of 1 space per 10-beds in guesthouses and 1 space per 5-beds in hostels. In the absence of car parking spaces, the applicant should, therefore, seek to maximise upon cycle parking spaces.
- 7.37. I conclude that it would be unreasonable to require the provision of off-street car parking spaces as part of the proposal, but cycle parking spaces should be provided.

(vi) Water

- 7.38. The proposal would be served by new connections to the public water mains and foul and surface water drainage network. Irish Water and the Area Engineer raise no objection to these aspects of this proposal.
- 7.39. The OPW's flood maps show the site as lying within a part of Kinsale town centre which is not the subject of any identified flood risk.
- 7.40. The proposal raises no issues with respect to water.

(vii) Stage 1 Screening for AA

- 7.41. The site does not lie in or near any Natura 2000 site. It is a fully serviced urban site, which under the proposal would continue to be serviced by public drainage infrastructure. Consequently, no AA issues would arise.
- 7.42. Having regard to the nature and scale of the proposal and the nature of the receiving environment, no Appropriate Assessment issues arise, and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

That the proposal be refused.

9.0 Reasons and Considerations

Having regard to the location of the site in the Kinsale Architectural Conservation Area (ACA) and in a position adjoining the historic church of St. Multose, which is identified in the National Inventory of Architectural Heritage as being of national interest, and having regard, too, to Objective HE 4-5(c) of the Cork County Development Plan 2014 – 2020, which requires that new development in ACAs respects their established character and contributes positively to them, and to Policy ACA2 of the Kinsale Town Development Plan 2009 – 2015, which states that new development will only be permitted in the Kinsale ACA if it would conserve or enhance the character or appearance of this Area, the Board considers that the proposal would, due to the ungainly design of its front elevation, fail to make a positive contribution to the streetscape of Guardwell, and it would, due to the complex design of its rear portion, appear fragmented and thus lacking in coherence when viewed from adjoining streets to the north and from within the grounds of St. Multose. Accordingly, the proposal would detract from the setting of this historic church and its grounds and it would fail to either conserve or enhance the character or appearance of the Kinsale ACA. As such, it would contravene the above cited Objective and Policy of the County and Town Development Plans and so it would be contrary to the proper planning and sustainable development of the area.

Hugh D. Morrison
Planning Inspector

2nd June 2020