



An
Bord
Pleanála

Inspector's Report ABP-316228-23

Development	Expansion of office space and elevational changes.		
Location	No. 40-41 & 42 Grand Parade, Cork City, Cork.		
Planning Authority Ref.	2241578		
Applicant(s)	Focus Housing Association		
Type of Application	Permission	PA Decision	Split w Conds
Type of Appeal	First party	Appellant	Focus Housing Association
Observer(s)	None		
Date of Site Inspection	09/05/2024	Inspector	D. Aspell

Context

1. Site Location/ and Description

The site comprises the majority of the ground floor of No. 40-41 and No. 42 Grand Parade, Cork City. Rochford Lane runs to the side of the site from Grand Parade.

The ground floor of No. 40-41 appears to be in office use. The ground floor of No. 42 appears to be vacant. The premises are used by Focus Ireland in the provision of homelessness related services.

2. Description of development

The proposed development as described in the public notices comprises:

- Expansion of existing office space at No. 40-41 Grand Parade in to the existing office space at No.42 Grand Parade;

- Creation of a new opening in the internal party wall at ground floor, signage, and minor elevational changes to No.42 Grand Parade.

In relation to No. 40-41, the existing site layout plan shows the premises laid out as an office, with no changes shown in the proposed site layout drawings.

In relation to No. 42, the existing site layout plan describes the ground floor as an office, however I note that 4 no. of the rooms are not labelled and the remaining 3 no. rooms are identified as 'area of work'.

3. Planning History

Subject site:

- Ref. 1938441 (ABP-306692-20): Planning permission granted on appeal by the Board in October 2020 for the alteration, conservation and change of use of the former tourist office and adjacent office to a hostel with ground floor bar and all ancillary site works at 'Tourist House', 40-42 Grand Parade Cork. The proposed development will involve the demolition of buildings to the rear of no's 40-42 Grand Parade and the construction of a new 6-storey extension and internal works to provide for a 48-bedroom hostel with a total of 284 no. bed spaces. The proposed development will also include shared toilet/shower facilities, laundry room, store-rooms, rooftop terrace, bar/reception, social area, kitchen, bicycle storage and services room.
- In that case permission was sought for development which included the change of use of both ground floor units. The Board Inspector report indicated that the ground floor of the site comprised one vacant unit which was formerly a tourist office, and one unit which was Brittany Ferries. The permission does not appear to have been implemented.
- Ref. 9923505: Planning permission granted by the City Council in 1999 for permission to demolish part of building at rear and to rebuild this portion with a new first floor and part second floor extension. Accommodation to include new retail area, offices, storage and ancillary facilities. Alterations will include a new frontage to the Rochford Lane elevation, at 40-43A Grand Parade.

The appellant references planning applications Reg. Refs. 75/5350 and 80/9426, however these are not on the public record. The appellant commentary states that

Ref. 75/5350 lists the development address as 'tourist office' and that Ref. 80/9426 mentions the erection of an office in the yard to rear.

Enforcement

- Ref. E8487, at No. 42 Grand Parade, described as 'Unauthorised Development'. Date received; 01/09/2022. Case was dismissed.
- Ref. E8483, at No. 40-41 Grand Parade, described as 'unauthorised material alterations and change of use to upper floors of 40-41 Grand Parade to create apartments. Alterations and refurbishment to ground floor office and material alterations and increase in floor area, in the adjoining vacant space, to create a boardroom'. Date received: 15/08/2022. Case was dismissed.

No further details of these enforcement cases are available on the public record.

4. Planning Policy

I note the following provisions of the Cork City Development Plan 2022-2028:

- The land use zoning objective for the area is 'ZO 05, City Centre' the zoning objective for which is: *"To consolidate and facilitate the development of the central area and to promote its role as a dynamic mixed used centre for community, economic, civic, cultural and residential growth"*;
- Sections ZO 5.1 to ZO 5.5;
- Core Strategy Sections 2.57 and 2.47 City Centre: *Increased regeneration and consolidation of Cork City Centre focusing on the delivery of more homes and providing a broader mix of uses to enhance the city centres role as an employment, retail, cultural, learning and entertainment destination &;*
- Objective 3.12 Special Categories of Housing: *"Cork City Council will actively seek to meet the housing need of special categories of housing by: (c) Supporting the provision of homeless accommodation and / or support services throughout Cork City"*;
- Sections 7.37 Strategic Employment Locations, 7.45 Offices, and 7.48 Retail Offices: *"Retail offices are those where financial, professional and other services are provided to visiting members of the public. The primary location for retail offices will continue to be the City Centre and District Centres"*;
- Sections 7.49, 7.50, 7.51, 7.52 'General Offices', 7.87 Cork City Centre, 7.99 and 7.101 Vibrant, Mixed-use Centres;

- Objectives 7.27 Strategic Retail Objectives, 7.28 City Centre, 7.36 Vacant Floor Space, 7.37 Vibrant and Mixed-use Centres;
- Section 8.30 National Inventory of Architectural Heritage (NIAH); 8.32-8.34 Architectural Conservation Areas; and 8.35 Development in Architectural Conservation Areas, and Objective 8.23 Development in Architectural Conservation Areas;
- Objectives 10.1 Strategic City Centre Objectives, 10.4 City Centre Office Development, 10.5 City Core Retail Area, 10.6 City Centre Land Use on Primary Retail Frontages, 10.7 City Centre Land Use on Secondary Retail Frontages, 10.12 City Centre Public Realm, 10.14 City Centre Grand Parade Quarter. Objective 10.14 seeks: *“To support the redevelopment of the Grand Parade Quarter, from the Grand Parade to the former Beamish and Crawford site, to transform and bring new life to the western end of the City Centre, that strengthens the culture and entertainment offer of the City”*;
- Sections 10.3 to 10.7 ‘City Centre’, 10.11 ‘Retail & Commercial’, 10.17-10.18 Cork City Centre Strategy 2014 and Cork City Centre Revitalisation Action Plan, and 10.22 Transformational Project: The Grand Parade Quarter;
- Chapter 11 section ‘Economic, Employment and Retail Development’, including Sections 11.175 Office/Business and Technology Proposals and 11.177 Non-Retail Employment Uses in the City, Town and District Centres;
- Sections 11.193 Shop Fronts and Commercial Facades, 11.194 Advertising on Buildings, and 11.202 Architectural Conservation Areas

The site is within the Oliver Plunkett Street Architectural Conservation Area in the Cork City Development Plan 2022-2028. Both No.40 and No. 42 Grand Parade are on the National Inventory of Architectural Heritage and are both of Regional Significance. There is a protected structure outside the site (a post office box, Ref. PS977).

Architectural Heritage Protection Guidelines for Planning Authorities 2011

5. Natural Heritage designations

None relevant.

Decision and Grounds of Appeal

6. Planning Authority decision

The planning authority issued a notification of decision to grant and refuse on 14th March 2023.

The notification granted permission for the signage and minor elevational changes to No. 42 Grand Parade and all associated site works, with 12 no. conditions.

Condition No. 3 stated that the grant related only to the minor elevational changes to No. 42 Grand Parade, namely replacement of existing door with a window and removal of security shutters and installation of a new front door, and proposed signage over the door.

The notification refused permission for the expansion of the existing office space at No. 40-41 Grand Parade in to the existing office space at No. 42 Grand Parade and creation of new internal opening at ground floor at No. 40-41 and No. 42. One reason was given as follows:

- *“Having regard to the policies in the Cork City Development Plan 2022-2028 relating to placemaking, it is considered that the proposed expansion of offices at No. 40 to 41 Grand Parade would be contrary overarching principle for placemaking as set out in the City Development Plan. The proposed expansion of office development, by reason of its design and elevation treatment, results in a visual discordant development in the context of the existing streetscape and would detract from the character and vitality of the local area. The proposed development would set an undesirable precedent for street frontages and would be contrary to the proper planning and sustainable development of the area”.*

7. Observations

The planning authority received one Observation, from Mr. Kevin Nagle, summarised as follows:

- Observer owns neighbouring property and concerned in relation to access to the site, which is via the narrow Rochford Lane;
- Lane is inappropriate for increase foot traffic and is filthy, dangerous, and site of antisocial behaviour;

- Applicant appears to have developed 16 no. apartments at the site, for which development was claimed to be exempt, however the exemption that the developer relied upon was limited to 9 no. units in a structure. The development as carried out but not yet open appears to lead to at least 11 no. apartments;
- The proposal appears to link more internal properties via Rochford Lane will increase traffic and dangers. Access to the Lane should be controlled by a gate;
- The application should be refused as the dates on the site notice were wrong.

8. Appeal

The first party appeal comprises a letter from the applicant's architect and a letter from the applicant, and are summarised as follows:

- The Council has wrongly asserted the use of the ground floor of No. 40/41 as retail office constitutes a change of use;
- An internal doorway between adjacent office premises should, by reason of its reversible, non-material nature and neutral heritage impact, be acceptable & reasonable;
- The applicant aspiration for the premises is to execute a retail office function, namely a housing information hub that, as well as housing general administrative and support staff, provides information and services to existing and potential clients and members of the general public;
- The use is consistent with the prior uses: a tourist information hub (Failte Ireland, No. 40/41) and a travel information service (Brittany Ferries, No. 42);
- A letter from the applicant confirming the intended retail office use is submitted;
- The planning history supports the established uses, including NIAH listing of each property being in office use (Reg. Refs. 20514089 and 20514090); Reg. Ref. 75/5350 lists the address as tourist office; Reg. Ref. 80/9426 stats the 'erection of an office in yard to rear', and Reg. Ref. 19/38411 stats 'change of use of the former tourist office and adjacent office);
- It is incorrect to assert that a change of use arises that precludes the Council from considering the creation of internal opening that allows both premises to

communicate with each other and allow the appellant to be more efficient in its staffing, resourcing and occupation of both premises;

- The issue being considered is minor and modest and easily reversible, ie. creation of an internal opening between two adjacent compatible premises;
- The internal door creates no external impact and no impact on the ACA;
- The properties are not protected structures. The conservation officer has not raised any issue. The premises is 'pre-63'.
- Both premises are owned by the appellant;
- It is unreasonable to deny the appellant the opportunity to best utilise their properties and properly serve the public given no material statutory or planning concerns arise as a consequence of the creation of an internal doorway.

An accompanying letter from Focus Housing Association states the premises is primarily used by the parent organisation Focus Ireland in the provision of advice, information and support to the public.

9. Planning authority response

None received.

Environmental screening

10. Environmental Impact Assessment screening

The proposed development does not fall within a class of development as set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended), and therefore is not subject to EIA requirements. (See Form 1 Appendix 1).

11. Appropriate Assessment screening

I have considered the proposed development in light of the requirements of Section 177U of the Planning & Development Act 2000 as amended. The subject site is not located within or adjacent any European Site designated SAC or SPA. The proposed development is located within an urban, mixed used area and comprises works and change of use to a ground floor premises. No nature conservation concerns were raised as part of the planning appeal or during consideration of the application. Having considered the nature, scale and location

of the proposed development I am satisfied that it can be eliminated from further assessment as there is no conceivable risk to any European Site. The reason for this conclusion is the nature of the development to a ground floor premises and the location in a serviced urban area, the distance to any European Sites and the urban nature of intervening habitats. I conclude that on the basis of objective information the proposed development would not likely have a significant effect on the conservation objectives of any European Site(s) either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment Stage 2 under Section 177V of the Planning & Development Act 2000 as amended is not required.

2.0 **Assessment**

2.1. Having regard to the foregoing; having examined the appeal; having visited the site; and having regard to relevant policies and objectives, I consider the main issues in the appeal are:

- Land use;
- Planning authority reason for refusal;
- Changes to elevations.

Land use

2.2. Having regard to the ZO 05 City Centre land use zoning objective for the area, I consider that office use is acceptable in principle in this zone.

2.3. Notwithstanding, I consider it would be inappropriate for the Board to grant permission for the proposed development for the reasons set out below. In summary, I consider that a material change of use previously occurred at No. 40/41, which was not exempted development and for which planning permission was not sought. The applicant has not sought permission or retention permission for this previous change of use as part of the subject application. I consider the proposed change of use of No. 42 would facilitate the consolidation and expansion of that unauthorised use. As such, I consider it would be inappropriate for the Board to grant permission for the development proposed.

Changes in use at the site

2.4. There is extensive commentary from the planning authority and applicant in relation to the nature of the existing, proposed and previous uses at the site. In this regard I note the following in particular:

- The initial planning authority planner's report stated that the authority had concerns that changes of use at ground floor at the site do not have the benefit of planning permission, and, that due to their requirement to receive planning, do not have the benefit of exempted development rights.
- That report stated that previously No. 40 / 41 was Failte Ireland which provided tourist information, but the majority of the floor area was retail insofar as it also sold Irish goods to tourists. The report stated that it was not satisfied that the existing ground floor office has the benefit of planning permission to allow such an expansion to be considered, and requested further information for details of the grant of permission for the change of use from the previous use (retail service and retail) to the current office use;
- The planning authority further information report stated that the retail element at No. 42 was substantially smaller than the retailing at No. 40-41 which occupied up to if not exceeding 80% of the ground floor area. It also stated that with regard to Nos. 40-41, the prior use was as a tourist office of which the footprint was substantially and primarily retail with an information desk (retail service) at the rear.
- The report stated that it is not satisfied that the current use (at No. 40/41) is a continuation of the prior established use;
- I note that whilst the planner report on further information stated that it was not satisfied that the existing ground floor office has the benefit of planning permission to allow such an expansion to be considered, the planning authority decision did not refuse the proposed development on these grounds, or on grounds of use on its own, but more specifically, that the expansion of offices, by reason of the design and elevation treatment, would result in a visually discordant development and would detract from the character and vitality of the area;

- The first party appeal stated that the City Council wrongly asserted that the use of the ground floor of No. 40/41 as retail offices constitutes a change of use. In relation to No. 40/41 and No. 42, it states that Focus Housing's aspiration for these two ground floor properties is to execute a retail office function, namely a housing information hub that, as well as housing general administrative and support staff, provides information and services to existing and potential clients and members of the general public;
- The appeal states that the proposal is for a housing information hub that, as well as housing general administrative and support staff, is to provide information and services to existing and potential clients and members of the general public. The appeal also states that the proposed use is consistent with the prior uses, namely a tourist information hub (Failte Ireland) at 40/41 Grand Parade and a travel information service (Brittany Ferries) at 42 Grand Parade;

No. 40-41

- 2.5. In relation to the previous use of No. 40/41, the planning authority planner reports state that No. 40/41 was previously occupied by Failte Ireland. The reports describe that use variously as service retail, tourist information with a retail element, or majority retail with a service element.
- 2.6. In relation to the current use of No. 40/41, the applicant's existing ground floor plan shows primarily office uses within both No. 40-41. The description of development in the public notices is: "*The expansion of our existing office space at No. 40-41 Grand Parade, in to the existing office space at No. 42 Grand Parade.*" The planning authority planner report also characterised the existing No. 40/41 as office. At the time of my site visit access to the internal areas of the site was not available, however, from the street I would characterise No. 40/41 as being in office use.
- 2.7. Based on the available information, I would characterise the existing use at No. 40/41 as primarily office, which may have some limited element of walk-in available to the public (ie. Class 3 of Part 4 'Exempted development – Classes of Use' of Schedule 2 (Article 10(1) 'Changes of use') of the Planning & Development Regulations 2001 (as amended)). Based on the information on file, I would characterise the previous use of No. 40/41 as being either primarily a service use

open to the public with an element of retail (ie. Class 2 of Part 4 of Schedule 2), or as primarily retail with a services element (ie. Class 1 of Part 4).

- 2.8. A change of use from Class 1 or 2 to Class 3 under Article 10(1) 'Changes of use' of the Regulations would be a material change of use for which planning permission is required. No record of such an application for change of use is on the public record, as stated by the applicant.
- 2.9. I am satisfied the existing use of No. 40/41, whilst having some similarities to the previous use, is a materially different use to the previous uses and as such a material change of use occurred at No. 40/41. Based on the planning authority and applicant commentary, the information available on the file, my review of the planning history, and on the provisions of the Planning & Development Act 2000 (as amended) and Planning & Development Regulations 2001 (as amended) in relation to exempted development and change of use, I consider the above change of use and the current use of No. 40/41 to be unauthorised.
- 2.10. The applicant proposes now to 'expand' this use in to No. 42. Notably however, including having regard to the public notices, the applicant did not actually apply for permission or retention permission for the existing use of No. 40/41.
- 2.11. I note the wording of the applicant's description of development, and I have considered whether the proposal might be better described in an alternative way (for example an amalgamation or otherwise). However, the proposed development is to connect No. 42 to No. 40/41 and operate it as part of the applicant's existing office operation. In this regard the spaces would be connected and interrelated, and with No. 42 to have no toilets, reception, or kitchen, although it has its own street access, in my opinion would be dependent on No. 40/41 and could not be considered a standalone unit.
- 2.12. Section 32 of the Planning & Development Act 2000, as amended, places a general obligation to obtain permission, including in the case of development which is unauthorised, for the retention of that unauthorised development. As the applicant has not sought such permission for the previous change of use to No. 40-41, I consider the proposed change of use of No. 42 would facilitate the consolidation and intensification of that unauthorised use without seeking its regularisation. As such, I

consider that it would be inappropriate for the Board to grant planning permission for the proposed change of use of No. 42.

2.13. For completeness I set out related considerations below.

Additional points relating to No. 40/41

2.14. In the documents submitted at application stage the applicant stated that the proposed extension of offices was to provide an extension of administration services and limited engagement with members of the public, accommodating walk-in services. It also stated that the proposed use is a continuation of the prior established use which was that of a head office, administration facility and supplementary use as a recruitment consultant's office and reception facility. The applicant also stated that they intend to utilise the property in a similar manner, and that no intensification of activity arises. However, within the appeal the applicant stated their aspiration for the two ground floor properties is to execute a 'retail office' function. It describes the proposed use as both retail office and office. The appeal also states that the proposal will be a housing information hub that, as well as housing general administrative and support staff, will provide information and services to existing and potential clients and members of the general public.

2.15. In this regard I consider there to be a change from application to appeal stage in the use intended by the applicant. The development described at application stage is primarily that of an office, whereas the commentary at appeal stage appears to provide for a greater service element which would be open to the public. This is problematic in that the use described in the appeal comes closer to the service use which was previously stated as being on the site, but further from the office use proposed in the public notices and shown on the existing layout drawings. Overall I consider the proposed development, including having regard to the public notices, drawings and appeal documents, is primarily an office as per Class 3 of Part 4 of Schedule 2 of the Regulations.

No. 42

2.16. I note that whilst the application is to expand the existing office use in to No. 42, the existing layout drawings show No. 42 is already laid out primarily as an office. The description of development is stated as: "*Expansion of existing office space at No.*

40-41 Grand Parade in to the existing office space at No.42 Grand Parade". From the street the premises appeared to be vacant.

- 2.17. The applicant describes the ground floor of No. 42 as being previously occupied by Brittany Ferries travel information service. The applicant stated that they were unable to find any record of a change of use from retail and retail services to office use during this period. The extensive planning authority commentary regarding the previous uses at the ground floor of No. 42 describes the premises variously as holiday agents and travel agents operated by Brittany Ferries which comprised services and sales to the general public.
- 2.18. Based on my site visit and the information on file it is unclear if an unauthorised change of use has occurred at No. 42. Notwithstanding, the applicant has sought permission for the change of use of No. 42 to office use, in contrast to No. 40/41. As such, I consider it would otherwise be appropriate for the Board to consider granting permission for this aspect of the proposed development, if not for the fact that the use would be dependent on an unauthorised use in No. 40/41, the regularisation of which has not been sought and for which it would be inappropriate for the Board to grant permission.

Related matters

- 2.19. I note the applicant makes the point that the proposal is a continuation of the previous established uses at the site. I consider that this matter may turn on whether and to what extent the overall buildings were used as larger office premises, and whether the ground floors as described above previously formed parts of office uses within each overall building. Based on the foregoing, I am satisfied that if this was the case, that on balance these ground floor elements would be distinct planning units.
- 2.20. In this regard I note that some or all of the upper floor of both buildings have been converted to residential units. Whilst it is unclear whether and to what extent the apartments are operated by the applicant as part of their overall operation, I am satisfied they are distinct planning units from that at the ground floor.
- 2.21. Similarly, it is not clear on what basis the previous ground floor operations were established. However neither the applicant nor planning authority dispute the prior uses as being an established uses, and I see no information on file to dispute this.

Planning authority reason for refusal

- 2.22. The planning authority decision permitted the proposed elevational works but refused the expansion of office. The reason was that the expansion of offices, by reason of the design and elevation treatment, would result in a visually discordant development and would detract from the character and vitality of the area.
- 2.23. I consider there to be a degree of conflict in the decision as the elevational changes were permitted but the proposed use was refused on grounds of the design and elevation treatment which would result in a visually discordant development and would detract from the character and vitality of the area.
- 2.24. In its decision the planning authority does not specify the policies and objectives which the proposal would infringe. However, the planner's report references Objective SO 9 'Placemaking and Managing Development', Section 7.34 'Continue to Improve Quality and Placemaking', and Objective 10.14 'City Centre and Grand Parade Quarter'.
- 2.25. I am not satisfied the development plan provisions referenced, or the development plan overall, gives a sound policy basis for refusal for the stated reasons. In this regard, I note a number of development plan sections which support office use in the city (eg. Sections 7.45, 7.50, 7.51, 7.52, 7.87, and Objectives 10.5, 10.6, 10.7 and 10.12). Other provisions I consider are more ambivalent (Sections 7.99 and 7.191, as well as Objectives 7.27, 7.28, 7.36, 10.1, 10.4 and 10.14). In particular I note the site is not within the core retail area or in a primary or secondary retail frontage, as defined in the development plan, where retail at ground floor is encouraged and other uses such as office are restricted.
- 2.26. Conversely, I note Section ZO 5.4 of the development plan states proposals to demonstrate how the proposal would respect, reflect or contribute to the character and vibrancy of the City Centre. I am not satisfied that the application has demonstrated this requirement.
- 2.27. In terms of the impact on activity, vitality, and vibrancy of the street as stated by the planning authority, I note there is a cluster of office and service uses at this end of Grand Parade and around the corner along South Mall. I do not consider this to be particularly problematic or to conflict significantly with policy as drafted.

2.28. I do not consider the proposal warrants refusal for the reasons stated by the planning authority, however in any event I consider it inappropriate for the Board to grant permission for the reasons set out above.

Changes to elevations

2.29. The application proposed accompanying signage and minor elevation changes to No. 42 Grand Parade comprising:

- New signage to match existing adjacent signage on No. 40/41 showing 'FOCUS Ireland'
- Replace existing glazed door with window
- Removal of security shutter with a new glazed front door

No works to the elevation of No. 40/41 are proposed.

2.30. Notwithstanding the commentary on file in this regard, and that the planning authority split decision permitted the proposed elevational works, neither planning authority planner report or the planning authority decision referenced the fact that the site is within an Architectural Conservation Area (ACA), and made limited if any reference to the relevant Specific Built Heritage Objectives or Statement of Character in Volume 3 of the development plan. I note the planning authority points relating to the character of the area, architectural heritage, and in relation to the Conservation Officer, the Heritage Officer and An Taisce.

2.31. In this regard, whilst the applicant references that the site is within an ACA, they make limited assessment of the proposed external works in the context of the specific features of the Oliver Plunkett Street Architectural Conservation Area (ACA) of the relevant requirements of the development plan.

2.32. I note that both No. 40-41 and No. 42 Grand Parade are on the NIAH, although they are not protected structures.

2.33. Overall in this regard, I consider that for permission to be granted, further consideration of the proposed development in the context of the ACA and the broader requirements of the development plan is required. However, based on the existing character and architecture of the area, the Oliver Plunkett Street ACA, and

the limited external changes proposed to No. 42 as part of this application, I do not consider that refusal on grounds of the works to the elevations is warranted.

Related matters

- 2.34. The planning authority referenced previous elevational changes to No. 40/41 and stated that those changes do not appear to have planning permission or have the benefit of exempted development rights. The changes referenced comprised a bay window being removed, windows being made obscure, and new door openings being inserted (on Rochford Lane).
- 2.35. Details of such changes are not provided by the applicant. No such works form part of the subject application, as stated by the applicant. However those changes would be within the red line area, and would relate to the applicant's current and proposed operations at the site. For completeness I note that, based on the limited information available, I am not satisfied that such works would be unauthorised (including having regard to the provisions of Article 4(1)(h), Article 10(6), and Article 9(1)(viii) of the 2001 Regulations and Section 82 of the Act).

3.0 Recommendation

- 3.1. I recommend permission be **Refused** for the reasons and considerations below.

4.0 Reasons & Considerations

On the basis of the submissions made in connection with the planning application and the appeal, it is considered that the proposed development relates to a site where the existing use of No. 40/41 Grand Parade as office, which is proposed to be extended, does not have the benefit of planning permission and would not constitute exempted development and would therefore be unauthorised. The proposed development would facilitate the consolidation and intensification of this unauthorised use. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of planning permission for the proposed development in such circumstances.

-I confirm this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.-

Dan Aspell

Inspector

27th May 2024

APPENDIX 1

Form 1

EIA Pre-Screening [EIAR not submitted]

An Bord Pleanála Case Reference	316228-23		
Proposed Development Summary	Expansion of office space and elevational changes		
Development Address	No. 40-41 and No. 42 Grand Parade, Cork.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No	X	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4
4. Has Schedule 7A information been submitted?			
No	X	Preliminary Examination required	
Yes		Screening Determination required	

Inspector: _____

Date: __4th January 2024__