



An
Bord
Pleanála

Inspector's Report

ABP-319259-24

Development

Retention of fixed awning. Retention of raised external seating surrounded by panel fence. Installation of metal frame structure with toughened glass panels. Enclosure to include three three no. emergency exit doors facing onto Little Cross Street in addition to two metal frame doors located on either end of the enclosure. All associated site works.

Location

Rearden's Bar, Little Cross Street, Cork City

Planning Authority

Cork City Council

Planning Authority Reg. Ref.

2342538

Applicant(s)

Kmont Property Holdings Limited.

Type of Application

Retention and Permission.

Planning Authority Decision

Refuse.

Type of Appeal

First Party

Appellant(s)

Kmont Property Holdings Limited.

Observer(s)

None.

Date of Site Inspection

17th July 2024.

Inspector

Terence McLellan

1.0 Site Location and Description

- 1.1. The appeal site refers to the western façade of Rearden's Bar as well as the section of Little Cross Street that it fronts onto. Located in Cork City centre, Rearden's Bar is a four storey series of buildings occupying the corner block bounded by Washington Street, Little Cross Street, and Hanover Street. The locality is a typical city centre mixed use area with a large number of restaurants and bars in addition to retail and other commercial use. Little Cross Street is a pedestrian/cycle street with no through vehicular access.
- 1.2. Rearden's Bar comprises three buildings, two of which are Protected Structures, with all three listed on the National Inventory of Architectural Heritage. The subject building is a Protected Structure (RPS Ref.1095) and the part of the building which the appeal specifically relates to is listed on the NIAH under reference 20503231. The site is located within the North Main Street Architectural Conservation Area.

2.0 Proposed Development

- 2.1. Permission is sought to retain the fixed awning structure and its various components as well as the raised external seating area which is surrounded by a timber panel fence and timber planters. Permission is also sought for the installation of a metal frame with fixed toughened glass panels to create a sheltered seating enclosure. The new enclosure would be set 500mm below the fixed awning and would incorporate three emergency exit doors, in addition to two metal frame doors with glass and cladding at either end of the enclosure. The application was accompanied by a Letter of Consent from Cork City Council for works proposed on land within the Council's control.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Refuse Permission and Permission to Retain was issued by Cork City Council on 15th February 2024, stating the following two reasons:

1. The location of the proposed development and development to be retained is on an existing pedestrian footpath and a section of the public street. Both the

existing and proposed development inhibit access for emergency services vehicles. The development would endanger the safety of pedestrians and road users by reason of traffic hazard or obstruction of road users and would therefore be contrary to the proper planning and sustainable development of the area.

2. The retention of the existing awning and the proposed outdoor seating arrangements to Little Cross Street by virtue of the nature of the development and its location and placement relative to the Protected Structure (PS Ref: 1095) and its setting, and to the North Main Street Architectural Conservation Area (ACA), would have a negative visual impact and would adversely affect the character of both the Protected Structure and the ACA. The development would contravene Strategic Objective 7 and Objectives 8.17, 8.19, 8.22 and 8.23 of the Cork City Development Plan 2022-2028, contrary to the proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. The Planner's Report contains the following points of note:

- Concerns regarding the scale, bulk, and undue impact of the development on visual amenity and architectural heritage. The awning oversailing the footpath creates unnecessary visual clutter.
- The development is considered to be a visually obtrusive feature and dominates the streetscape.
- The Planning Authority are normally supportive of proposals to bring vibrancy and vitality to streets only where there is no significant interference with public safety, permeability, and where regard is had to visual impact and architectural heritage. The development is not considered to have addressed these issues in a meaningful way.

3.2.2. Other Technical Reports

- 3.2.3. **Conservation (30.01.2024):** The development has a high visual impact on the historic building and the awning obscures the shopfront fascia and ground floor window openings. The associated fixings disfigure the first floor.

3.2.4. The Heritage Impact Assessment does not assess the visual and physical impact on the Protected Structure and wider ACA. A more informal arrangement of outdoor furniture would be more suitable for this setting.

3.2.5. **Contributions (08.02.2024):** Recommend a contribution condition.

3.2.6. **Area Engineer (15.01.2024):** Recommend refusal. Development would likely be in conflict with street furniture licensing conditions which require all street furniture to be removeable and to allow sufficient width for emergency vehicles. The proposed screens are higher than the standard 1.2m high screens, making the streets unattractive for pedestrians and road users. The awnings extend outside the licensed area and will cause a hazard and obstruction to emergency vehicles.

3.3. Prescribed Bodies

3.3.1. **Uisce Éireann (10.01.2024):** No objection subject to standard observations.

3.4. Third Party Observations

3.4.1. Two observations were made on the planning application as follows:

3.4.2. Paul Montgomery, Clancy's Bar, Princes Street, Cork:

- Fully supportive of public realm improvements to contemporise and enhance the city's hospitality offering.
- In the absence of focused and up-to-date policy, it is requested that should permission be granted, it be granted for a temporary permission to coincide with the temporary permission at Dwyer's. The Council can then, on foot of coordinated city wide policy objectives, make an informed decision on long term objectives for micro and macro areas.

3.4.3. T.J Blanchard, Heritage House, 21 Richmond Estate, Blackrock, Cork:

- Concerned that the development is not just for retention but includes considerable new works and 'all associated site development works' which is vague.

- Al fresco dining was permitted during the covid pandemic on a temporary basis to facilitate continued trading and social distancing and were not intended to increase capacity.
- The awnings and structures were erected without consultation or application for permission, enabling the Applicant to adopt the public pavement for their own private use.
- The awnings at Dwyer's bar are retractable, the awnings at Rearden's are fixed.
- Little Cross Street becoming pedestrianised does not grant permission to property owners along it to take possession of the space.
- The requirement to remove street furniture outside of opening hours is disregarded at both Rearden's and Dwyer's.
- Permission at Dwyer's will expire in 18 months.
- The application does not include adequate details of the proposed new structure, the safety and security of the installation is questionable.
- A new application is needed with a detailed structural design, including calculations for wind bracing and drawings of necessary support proposals.
- No consideration is given to the existing emergency exits from the bar, no information is provided on safe travel distances of escape routes, or the fire rating of materials used for the awnings as well as details of fire protected zones, access ramps, building capacity or safe compartmentalisation.
- The structure should be removed, and the damage made good.

4.0 Planning History

Subject Site

- 4.1.1. No planning history of specific relevance.

Adjacent Site – Dwyer's Bar

- 4.1.2. **Planning Authority Reference – 2140746:** In April 2022, Cork City Council granted permission for retention of 7 no. flagpoles on the Washington Street elevation, the removal of 5 no. existing awnings and replacement with 7 no. new awnings, to the

exterior of the structure on Little Cross Street elevation and the removal of 2 no. existing awnings and replacement with 5 no. new awnings to the exterior of the structure on the Washington Street elevation and all associated ancillary structures required to facilitate outdoor dining, including screens and heaters, directly adjoining the building on Little Cross Street and Washington Street. Permission was granted subject to five conditions. Condition 2 limited the permission for the screening structures on Little Cross Street to a maximum of three years.

5.0 Policy Context

5.1. Cork City Development Plan 2022-2028

- 5.1.1. The site is Zoned ZO 5: City Centre, the stated objective of 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.
- 5.1.2. Strategic Objective 7: Heritage, Arts and Culture. Objective to protect and reinforce the unique character and built fabric of the city, towns, villages, suburbs, neighbourhoods and places that make up the fabric of Cork City, both the character derived from the natural environment and the man-made character created by the built form. This will be achieved by protecting Protected Structures, archaeological monuments, and archaeological heritage and Architectural Conservation Areas, while providing opportunities for new development that respects the rich, historic built heritage of the city. Relevant objectives include:
- Objective 8.17: Conservation of the City's Built Heritage
 - Objective 8.19: Record of Protected Structures
 - Objective 8.22: National Inventory of Architectural heritage (NIAH)
 - Objective 8.23: Development in Architectural Conservation Areas
- 5.1.3. Chapter 11 includes the policies aimed at delivering Strategic Objective 9, Placemaking and Managing Development. This chapter sets out the Council's guidance and priorities for development proposals. Of primary importance is securing development of the highest architectural and urban design quality that is people-

centric and resilient to climate change and other challenges. The relevant sections of this chapter are:

- Section 11.187/8: Public House, Licenced Premises, Night Clubs
- Section 11.193: Shopfronts and Commercial Facades
- Section 11.199: Street Furniture
- Section 11.201: Protected Structures
- Section 11.202: Architectural Conservation Areas

5.2. Section 28 Ministerial Guidelines

5.2.1. Having considered the nature of the proposal, I consider that the directly relevant section 28 Ministerial Guidelines and other national policy documents are:

- Architectural Heritage Protection – Guidelines for Planning Authorities (2011) - This guidance is a material consideration in the determination of applications and sets out comprehensive guidance for development in conservation areas and affecting protected structures. It promotes the principal of minimum intervention (Para.7.7.1) and emphasises that additions and other interventions to protected structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term (7.2.2).

5.3. Natural Heritage Designations

5.3.1. None relevant.

5.4. EIA Screening

5.4.1. See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A First Party appeal has been submitted by McCutcheon Halley Planning Consultants, for and on behalf of the Applicant, Kmont Property Holdings Limited, against the decision of Cork City Council to refuse planning permission. This is supplemented by a report from Design Forum Conservation. The grounds of appeal can be summarised as follows:

Safety Concerns

- Little Cross Street is fully pedestrianised, and this shows that it is not suitable for emergency access vehicles.
- The Fire Officer raised no objection to the application and there is no compromise to safety as the block is fully accessible via Hanover Street and Washington Street.
- Other than emergency vehicles, there is no information provided in the Planning Reports indicating that the development would endanger safety by reason of a traffic hazard or obstruction.
- It is possible to walk down the middle of Little Cross Street and pedestrian access is not impeded.
- A similar development was approved on the adjacent site at Dwyer's Bar and no concerns regarding the 'creation of an outdoor room' or inhibiting access were raised.

Architectural Heritage

- There is a very similar structure on the Little Cross Street elevation of Dwyer's Bar, which is adjacent to the appeal site, and this was granted permission by Cork City Council. Dwyer's Bar is also a Protected Structure and is also located within the North Main Street Architectural Conservation Area.
- Given the strong similarity of design and use of the structures at Dwyer's Bar, the development at Rearden's does not have a negative impact on the Rearden's Protected Structure and North Main Street Architectural Conservation Area.

- The development has a minimal impact on the Rearden's Protected Structure as it is not located on the Washington Street elevation.
- The Appellant would be happy to modify the canopy structure in the future, should the Council publish guidance on canopies.
- The Council raised concerns regarding the overhead hanging/suspension struts which the Council were concerned by, as part of a re-designed proposal.
- There are similar developments, such as the Imperial Hotel on Pembroke Street and parasols down the centre of Princes Street Lower, both approved by the Council.

Inadequate Assessment of Application

- A number of additional issues were assessed on the subject proposal compared to the adjacent site at Dwyer's Bar, including impact on streetscape, access, and use of the street. These issues have unfairly been given weight when they were not considerations on the Dwyer's Bar application.
- The Planner's Report for the Dwyer's Bar permission states that given the pedestrian nature of Little Cross Street and the low impact on the protected structure, the presence of outdoor dining structures is considered acceptable on that side of the site.
- Emergency vehicle access was not raised on Dwyer's Bar but it was cited as a refusal reason on the subject proposal which is unreasonable.
- The Planning Authority have failed to consider the 'Principle of Planning' under the subject application. And this is a discrepancy between the assessment of the two applications.
- There are discrepancies in the policies both applications have been assessed against, with the subject proposal only being assessed against Chapter 11, with a particular focus on section 11.201.
- No consideration has been given to key policies and objectives relating to land use zoning, the night-time economy and public houses. The site is zoned for City Centre zoning (ZO 05) - "To consolidate and facilitate the development of the central area and to promote its role as a dynamic mixed use centre for community, economic, civic, cultural and residential growth."

- A Section 254 Licence was granted for street furniture and the external seated area promotes cultural and economic growth in Cork City, facilitating the expansion of the Bar, enhancing its attractiveness, increasing the cultural image of Cork City's bars.
- The bar contributes to additional economic and cultural growth associated with Cork City's nightlife in line with objectives of City Centre Zoning (ZO 5).
- The Planner's Report states that the development would set a precedent, but the adjacent Dwyer's permission shows that the Planning Authority are willing to grant permission for awnings to facilitate outdoor dining and similar developments have been permitted since the pandemic.
- In the Dwyer's application, the Planning Authority deemed it appropriate that a temporary permission be granted for a period of 3 years. This was to allow the Planning Authority to reassess the impacts of the development at a later date. And it is requested that the Board grant permission for the same period of time.

Report by Design Forum Conservation

- The impact of this structure in this specific location is minimal and the fixings of concern are located on a former industrial warehouse and not the older public house to the front.
- The structure is reversible and can be modified and made to comply with any future guidelines.
- The awning is well set back from Washington Street and less impactful than the adjacent approval.
- There is precedent development on the adjacent Dwyer's site and given the proximity, the proposed development is considered acceptable.
- Most would agree that non-permanent and retractable awnings would be preferable, however, there is a lack of guidance on the matter which is causing confusion and people are investing based on what has already been done and approved around them.
- Outdoor dining and installations are an important part of enhancing and animating the city.
- Removal of the suspension struts could be offered as an alternative.

6.2. Planning Authority Response

6.2.1. No response.

6.3. Observations

None.

7.0 Assessment

7.1.1. At the outset I would acknowledge that the grounds of appeal raise several issues regarding procedural matters, including perceived errors and inadequacies in the Planning Authority's assessment with regards to relevant policy provisions and weight given to planning issues on the subject proposal that were not raised on adjacent permissions. It is not a function of the Board to regularise any perceived or actual deficiencies or errors made in the assessment of the planning application by the Planning Authority. As such, the following report represents my De Novo assessment of the development, having examined the application details and all other documentation on file, including the reports of the Planning Authority and all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance in addition to the relevant planning history of the site and neighbouring sites, I consider that the main issues in this appeal are as follows:

- Design and Heritage
- Safety and Access
- Other Matters

7.2. Design and Heritage

7.2.1. In my opinion, the core issue in the appeal relates to the Planning Authority's concerns that the existing awning structure and the proposed enclosures would have a negative visual impact that would affect the character and setting of the Protected Structure and the North Main Street Architectural Conservation Area. This is largely a result of the scale, bulk, and detailed design of the development, which is considered to be visually obtrusive.

- 7.2.2. The Appellant considers that the development is acceptable on foot of the awning and enclosure permitted on the adjacent site at Dwyer's Bar and it is argued that given the strong similarity of design and use of the structures at Dwyer's Bar, the subject development does not have a negative impact on either the Protected Structure or the ACA. It is further stated that there are various other similar developments approved by the Council.
- 7.2.3. The grounds of appeal state that the suspension struts could be removed and that there is a lack of guidance on the matter of awnings, with people following what has already been done/approved. The Appellant argues that the works are reversible and can be modified and made to comply with any future guidelines.
- 7.2.4. I note the adjacent site at Dwyer's Bar and the awning/screen enclosure that benefits from a temporary planning permission which is due to expire in April 2025. In my opinion there are elements of the installation at Dwyer's that do not align with the temporary planning permission. Enforcement is of course a matter for the Planning Authority and whilst I am of the view that there are discrepancies between what has permission at Dwyer's Bar and what has been installed, such as glazed screens and the provision of further screening and emergency exit doors at the ends of the enclosure, the temporary permission is at least an indication that the Planning Authority accept the principle of awnings and semi-enclosed outdoor areas. Nonetheless, I am of the view that there are important differences between the approved development on the Dwyer's site and that proposed for retention/permission on the subject site in terms of scale, appearance, method of installation and heritage impacts.
- 7.2.5. Some of the other precedent examples referred to in the appeal and supporting documents do not appear to have the benefit of planning permission, such as the installation on the side of the Imperial Hotel on Pembroke Street and Costigan's Bar on Little Anne's Street. In any event, I am supportive of the principle of providing outdoor seating/covered areas and recognise the importance of such spaces to the nighttime economy and the vibrancy of city streets in line with Section 11.187 and in compliance with the ZO 5 zoning objective.
- 7.2.6. In my opinion, a lightweight, fully retractable and traditionally designed/installed awning would be acceptable on this site. However, I have significant concerns

regarding the awning and supporting structure that is proposed for retention. In my opinion, the awning and supporting structure is unnecessarily heavy weight. It is an overly engineered structure which is bolted to the building in a crude manner with no attempt to minimise its visibility or impact on the Protected Structure. The tension rods add to the visual clutter, and I consider the use of a cantilever structure to address the angle of the building as it approaches Hanover Street to be entirely inappropriate, only serving to add to the perception of bulk and the visual impact of the installation/supporting structure, particularly when viewed from Hanover Street.

7.2.7. Although I accept that the awning material can be retracted, the bulky metal frame and supporting structure cannot, and in my view, it is an obtrusive and discordant feature that causes harm to the character, setting, and quality of the Protected Structure and Architectural Conservation Area. The presence of the awning on the adjacent Dwyer's site does not outweigh my concerns with the subject proposal, which is larger, more obtrusive, and more impactful on the host Protected Structure.

7.2.8. In terms of the proposed screening enclosures, I also share the concerns of the Planning Authority. As previously mentioned, I consider that outdoor seating has an important role to play in the vibrancy of city streets, with outdoor seating contributing to a street's atmosphere through visual and social interaction between patrons and street users. However, the permanent and fixed nature of the screens, their height, and detailed design is such that they would effectively form a permanent barrier to the street that would, in my view, hinder the ability of the space to contribute to the animation, vibrancy and vitality of the area.

7.3. Safety and Access

7.3.1. The Planning Authority consider that the development (both existing and proposed) would inhibit access for emergency services vehicles and would endanger the safety of pedestrians and road users by reason of a traffic hazard or obstruction. In my opinion, the safety of pedestrians and cyclists would not be significantly affected by the proposal, given the nature of Little Cross Street as a cycle/pedestrian route, its limited length, and the nature of the carriageway as a shared space.

7.3.2. The Appellant considers that the pedestrian nature of Little Cross Street shows that it is not suitable for emergency vehicle access and again points to the adjacent development at Dwyer's Bar as justification, noting that no concerns regarding

inhibiting access were raised during its assessment. I do not share the view of the Appellant that the pedestrian nature of Little Cross Street demonstrates that it is not suitable for emergency vehicle access. Emergency vehicles access pedestrian streets on a regular basis when required and where possible. Emergency vehicle access is not precluded simply by virtue of a street prioritising pedestrians and cyclists.

7.3.3. The main obstacle to emergency vehicle access is the fixed nature of the awnings sought for retention, in addition to the fixed nature of the proposed screening enclosure which is further compounded by the fixed nature of the enclosure at Dwyer's Bar. Together, these installations cover the pavement and extend out into the carriageway, which is narrowed to approximately 3m-3.2m in width. The narrow nature of Hanover Street and the position of the fixed enclosure at the mouth of the junction with Little Cross Street is such that I agree that access for larger emergency service vehicles, such as fire tenders, would be difficult.

7.3.4. Undoubtedly, fully retractable/non-fixed awnings/enclosures would be much more appropriate given their potential to be moved in the event of an emergency, however in their current and proposed form, they would form a permanent barrier to access. I agree with the Appellant that there has been an inconsistent approach to this issue, and although I am mindful of the permission that has been granted at Dwyer's Bar, this does not overcome my concerns regarding the narrowing of the carriageway and the potential impact to emergency vehicle access. Additionally, I note that the temporary nature of this permission is such that the Planning Authority may choose to revisit the issue upon expiry of the consent.

7.4. Other Matters

7.4.1. The grounds of appeal request that the Board grant permission for a temporary period of three years, replicating the approach taken on the adjacent site at Dwyer's Bar on the basis that this would allow the Planning Authority to reassess the impacts of the development at a later date. In my opinion the impacts of the proposed retained development on the visual and heritage amenity of the building are such that a temporary permission would not be warranted. I have also given consideration to the Appellant's proposal that the suspension struts could be removed and although I accept that this would assist in reducing the overall impact, it would not address my

concerns regarding the overall bulk and appearance of the awning and its remaining supporting structure.

8.0 AA Screening

8.1.1. I have considered the appeal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located on Little Cross Street in Cork City Centre, approximately 3.5km from the Cork Harbour SPA (Site Code 004030), which is the nearest European Site.

8.1.2. The proposed development comprises retention of an awning and external seating structure in addition to a proposed new external structure. No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- The small scale nature of the works.
- The distance of the development from the nearest European Site.
- The screening determination of the Planning Authority, who concluded that Appropriate Assessment is not required.

8.1.3. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site 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 and Development Act 2000) is not required.

9.0 Recommendation

9.1.1. I recommend that the Board uphold the decision of Cork City Council and refuse retention and planning permission for the reason set out below.

10.0 Reasons and Considerations

1. Having regard to scale, form, detailed design and location relative to the Protected Structure and the North Main Street Architectural Conservation Area, the retention of the existing awning and supporting structure and the proposed outdoor seating enclosures to Little Cross Street would have a negative visual impact, resulting in an obtrusive and feature that would adversely affect the character, setting, and heritage amenity of both the Protected Structure and the Architectural Conservation Area. The development would therefore be contrary to Objectives 8.17, 8.19, 8.22 and 8.23 of the Cork City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.
2. The scale, positioning, and fixed nature of both the retained and proposed development would reduce the carriageway width on Little Cross Street such that it would hinder appropriate access for emergency service vehicles. The development would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that 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.

Terence McLellan
Senior Planning Inspector

30th August 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-319259-24		
Proposed Development Summary	Retention of fixed awning. Retention of raised external seating surrounded by panel fence. Installation of metal frame structure with toughened glass panels. Enclosure to include three no. emergency exit doors facing onto Little Cross Street in addition to two metal frame doors located on either end of the enclosure. All associated site works.		
Development Address	Rearden's Bar, Little Cross Street, Cork City		
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			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)
No		N/A	No EIAR or Preliminary Examination required
Yes	X	10(b)(iv) Threshold >2 hectares. (business district).	Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ Date: _____

Appendix 2

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-319259-24	
Proposed Development Summary	Retention of fixed awning. Retention of raised external seating surrounded by panel fence. Installation of metal frame structure with toughened glass panels. Enclosure to include three no. emergency exit doors facing onto Little Cross Street in addition to two metal frame doors located on either end of the enclosure. All associated site works.	
Development Address	Rearden's Bar, Little Cross Street, Cork City	
<p>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The proposed development is for an extension to the existing commercial use. The surrounding area is mixed use, and the proposal is not exceptional in that context.</p> <p>There would be minor emissions during the construction. The development would not result in the production of any significant waste, emissions or pollutants.</p>	No.

<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>The development would not be exceptional in scale in the context of the existing environment.</p> <p>There would be no significant cumulative considerations with regards to existing and permitted projects/developments.</p>	<p>No.</p>
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The development would be located in a built up, serviced urban area and would not have the potential to significantly impact on an ecologically sensitive site or location.</p> <p>Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area. The protected structure and ACA is noted, including the impacts on such, however these are not of a scale or intensity that would warrant the submission of an EIAR.</p>	<p>No.</p>
<p>Conclusion</p>		

<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		
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Inspector: _____

Date: _____