



An
Bord
Pleanála

Inspector's Report ABP-319981-24

Development

Construction of 42 no. residential units at the former Cope Foundation Residential Facility (formerly known as Honan Home (a Protected Structure) and all associated development works.

Location

Lovers Walk, Montenotte, Cork.

Planning Authority

Cork City Council

Planning Authority Reg. Ref.

24/42816

Applicant(s)

Pontorac Ltd.

Type of Application

Permission

Planning Authority Decision

Refuse permission

Type of Appeal

First Party

Appellant(s)

Pontorac Ltd.

Observers

None

Date of Site Inspection

11th October 2024

Inspector

John Duffy

1.0 Site Location and Description

- 1.1. The subject lands, with a stated site area of 1.46 hectares, are located in an elevated position on the steeply sloping Montenotte / Tivoli Ridge and have panoramic views of Cork City and the Cork Docklands to the south, and Cork Harbour to the south-east. The lands which are irregular in configuration, accommodate the former Cope Foundation Residential Facility (formerly known both as Honan Home and Summerhill), which is a Protected Structure (RPS No. 621), and its attendant grounds. The Protected Structure is a large detached three storey former house constructed around 1830 and it is located centrally on the site. The property has been vacant for some time, the grounds are very overgrown and there was evidence of vandalism within and around the house observed during the site inspection. The property was most recently used as a nursing home and was associated with the Cope Foundation complex to the north.
- 1.2. The entrance to the grounds is at the south-west of the site on Lover's Walk. A disused gate lodge is located proximate to this site entrance. An outbuilding known as the Tank Building is located to the rear / north of the Protected Structure. There is a pylon, supporting 110Kv lines, located proximate to the north-western part of the site. The topography of the lands slopes downwards from north to south with levels indicated in the submitted Landscape Design Rationale as +80.70 m OD at the northern extremity of the site compared with +52.25 m OD at its southern edge. There are a high number of mature trees within the confines of the site. A high stone wall at the southern / front boundary of the site adjoins Lover's Walk. The character of the grounds is sylvan in nature. Adjoining lands to the east, west and south contain individual detached houses. The site is bounded to the north-east by St. Paul's Special School complex.

2.0 Proposed Development

The proposed development of this site as applied for on 2nd April 2024 consists of the following elements:

The former Honan Home (centrally located on the site)

- Demolition of rear and side annexes and construction of 3 no. rear extensions.
- The conservation and internal reconfiguration of the protected structure to accommodate 3 no. townhouse units (2 no. 3 beds and 1 no. 4 bed) and 7 no. apartments (3 no. 2 beds, 3 no. 1 beds and 1 no. studio i.e. Apartment No. 19).
- Installation of a new secondary staircase and a lift.

Gate Lodge (located at eastern side of the site proximate to the site entrance)

- The extension and conversion of this building to provide one residential unit with 2 no. bedrooms.

Tank house (located behind / north of the Protected Structure)

- The conservation, extension and alterations to this outbuilding to provide for two 3 bed semi-detached units.

The construction of 5 no. new blocks (Blocks A – E) to provide 29 residential units as follows:

Block A (located to the west of the site, north of the Gate Lodge)

- A terraced block comprising 5 no. split level 3 storey 3 bedroom houses, 1 no. 1 bedroom apartment and 1 no. 2 bedroom apartment.
- Finishes comprise render / dark slate for external walls and cement slate roofs.

Block B (located immediately west of the Protected Structure)

- A terraced block comprising 5 no. two storey houses.
- Finishes comprise render / reclaimed stone / dark slate for external walls and cement slate roofs.

Block C (located east of the Protected Structure)

- A terraced block comprising 4 no. two storey houses.
- Finishes comprise render, dark slate for external walls and cement slate roofs.

Block D (located south of Block C, at the eastern side of the site)

- A terraced block comprising 10 no. two storey houses proposed.
- Finishes comprise render, dark slate for external walls and cement slate roofs.

Block E (located at the south-eastern part of the site)

- 3 no. split-level houses proposed, comprising 1 no. 4 bed unit and 2 no. 3 bed units.
- Finishes comprise render, dark slate for external walls and cement slate roofs.

Other elements of the proposal are as follows:

- 46 no. car parking spaces.
- Landscaping and amenity areas. 2 no. areas of public open space are indicated on the site plan, one at the north-western part of the lands and the second at the southern portion of the lands.
- Bicycle and bin stores.
- Footpaths.
- Drainage.

The proposed site plan indicates that the total gross site area is 1.46 ha. The total developable area is stated as 1.22 ha after lands restricted by wayleaves and steep topography are considered.

The application was accompanied by the following documentation (not exhaustive):

- Planning and Design Statement
- Architectural Design Statement
- Landscape and Visual Appraisal
- Engineering Report
- Uisce Éireann (UÉ): Confirmation of Feasibility (COF)
- Transportation Assessment Report
- Outdoor Lighting Report
- Architectural Heritage Impact Assessment (AHIA)
- Archaeological Impact Assessment (AIA)
- Stage 1 Road Safety Audit (RSA)
- Construction and Environment Management Plan (CEMP)

- Construction and Demolition Waste Management Plan

A revised site layout plan is submitted with the appeal submission for the consideration of the Board. It omits Block E comprising the 3 proposed residential units to the south of the protected structure.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By Order dated 27th May 2024 Cork City Council decided to refuse permission for the proposed development for the following three reasons:

1. It is considered that the proposed works to the former Honan Home (formerly Summerhill), a protected structure (PS621) and archaeological monument (RMP CO074 - 086), to convert the house to 10 no. residential units, would result in detrimental impacts to the special character of this 18th century house. The development would contravene Strategic Objective 7 and Objectives 8.2, 8.17, 8.18, 8.19 and 8.22 of the Cork City Development Plan 2022 - 2028, and would be contrary to the proper planning and sustainable development of the area.

2. The proposed removal of extensive areas of vegetation, and replacement with hard landscaping, in addition to the provision of an access road immediately to the front of the main house, would be injurious to the historic landscape setting of the former Honan Home (formerly Summerhill), a protected structure (PS621) and archaeological monument (RMP CO074 - 086), and would therefore contravene Objective 8.20 of the Cork City Development Plan 2022 - 2028, which seeks to protect historic landscapes and gardens throughout the city from inappropriate development. The proposed development would therefore seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

3. The site is in an Area of High Landscape Value (AHLV). It is considered that the proposed new development constitutes overdevelopment in this sensitive landscape

by reason of the number of units, building form, composition, design and the extent of the proposed hard landscaping. The development would result in an unacceptable and negative visual impact upon the intrinsic character of the AHLV and the resulting loss of vegetation would impact negatively upon biodiversity. The proposed development would contravene Strategic Objective 5 – Blue and Green Infrastructure and Objectives 6.5 and 6.13, of the Cork City Development Plan 2022 - 2028 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report reflects the decision to refuse permission. It notes the site's planning history, the policy context, reports received and third party submissions made.

The report notes the site is within a designated Area of High Landscape Value (AHLV). No tree survey or ecological assessment is provided and no photomontages are submitted. The report considers these omissions make it impossible to review conclusions reached in the submitted Landscape and Visual Appraisal.

The report endorses the Conservation Officer's recommendation to refuse permission, due to significant negative impact upon built heritage.

In terms of the design of the proposed development, concern is expressed regarding the lack of a comprehensive language across the new residential blocks and that the proposed extension of the Tank building unduly alters that structure. The gable elements of Blocks B and C are stated to be not balanced and they flank the Protected Structure, which is a symmetrical structure. External material finish of dark slate is considered inappropriate.

In terms of density, the report notes that 3 areas of the site have been excluded (two relate to wayleaves and the third relates to steep topography), as identified on the site layout plan, resulting in a net developable area of 1.22 ha. As such the proposed net density is 34.4 units per hectare. Regard is had to the 2024 Compact

Settlements Guidelines, which advise that, inter alia, new development should not impact negatively on character, amenity or the natural environment.

Reference is made in the report to Objective 11.2 of the Development Plan which requires residential developments between 10-50 units to provide a dwelling mix as per the sub-area target ranges. In this instance the most appropriate sub-target range is considered to be City Suburbs. It is considered that the proposal does not provide sufficient numbers of 1 and 2 bedroom units.

In terms of on-site residential amenity, public open space provision is deemed more than sufficient. The report notes that a quality housing assessment has not been provided. Concerns are expressed regarding potential intervisibility between Blocks D and E, with no contextual elevations or site sections provided to illustrate the relationship between the buildings. Overlooking concerns onto the Gate Lodge from Block A are also raised.

The report also notes concerns regarding the potential impact of Blocks A, C, D and E on existing houses adjoining the site during the operational phase of development and it is considered that further information would be required in this regard.

The report also expresses concern that the proposed development would be overly car reliant and that car parking provision dominates specific parts of the scheme.

The reports of the Acting Senior Planner and Senior Executive Planner concur with the recommendation to refuse permission.

3.2.2. Other Technical Reports

Conservation Officer: Refusal of permission is recommended.

At the outset, the report sets out details of the site and policy context, with particular reference made to Strategic Objective 7 - Heritage, Arts and Culture, Objective 8.17 – Conservation of the City's Built Heritage, Objective 8.18 – Reuse and Refurbishment of Historic Buildings, Objective 8.19 – Record of Protected Structure, Objective 8.20 – Historic Landscapes and Objective 8.22 – National Inventory of Architectural Heritage (NIAH).

The report provides an account of the history of the house and its lands, and notes that while the grounds have been reduced, the immediate gardens with terraces still

evident, outbuildings, the Gate Lodge and the avenue have survived and provide a setting for the house, which contains many significant original features including 18th century staircases, lugged architraves, sections of original cornices and other elements.

Conversion of the main house (formerly known as Summerhill):

Reference is made in the report to the site's planning history (specifically Reg. Refs. 18/37861 and 19/28284) which provided for the retention of the original portion of the house to provide a single dwelling, allowing for its conservation and restoration of principal rooms, hall and staircase. The report expresses serious concern that the proposal to convert the house into 10 units with multiple bathrooms and kitchens and associated services, along with a new lift and staircore, will result in a very high intervention into the existing Protected Structure. As such, the report considers that the proposal is unsuitable and cannot be supported from a conservation perspective. The report notes that these concerns were raised at the pre-planning meeting held in October 2022.

The report considers that the proposed interventions are complex and require conservation architect expertise and input, and that there is a concerning lack of information provided relating to the proposed development of the protected structure, the gate lodge and outbuilding known as the Tank House. The report is critical of the AHIA and considers that it does not provide an assessment of significance for the house, outbuildings and grounds and also that its description of the interior of the protected structure is vague.

Proposed new residential units:

The report considers that the proposed additional units would have a high cumulative impact on the Protected Structure, its grounds and curtilage by increasing the amount of hard landscaping, by restricting views of the house from the south / south east, and by the loss of existing landscaped grounds and mature trees.

Particular concerns are raised in the report in relation to Block B and Block E. Block B's very close proximity to the Protected Structure would have a high visual impact on the historic house and would erode its setting. The lands to accommodate Block E are considered an unsuitable location for such development on the basis that the

setting of the Protected Structure would be eroded and the views of the house would be impeded.

The report considers that the proposed blocks display varying façade treatments, fenestration and materials, and that any development on the site requires careful design and detailing which respects the setting adjacent to the 18th century house and the location within an area of high landscape value. The report notes that no photomontages have been provided and that it is therefore not possible to assess the increased visual impacts of the additional dwellings on the setting of the protected structure. Notwithstanding, having regard to the contiguous drawings provided, the report contends that the development as proposed would have a detrimental impact on the heritage asset.

Landscape Treatment:

The report considers that the landscape proposals are not sufficiently detailed to enable a thorough assessment of the likely impact of the proposed development on the grounds, curtilage and setting of the Protected Structure. Several concerns in this regard are highlighted in the report.

The report concludes with a recommendation to refuse permission for the proposed development.

Drainage Division: Further information recommended including a revised Engineering Report, proposals to incorporate sustainable drainage systems with a particular focus on Nature-Based Solutions to limit surface water run-off, details of storm water drainage and discharge location.

Environment Waste Management and Control: No objection subject to conditions.

Contributions Report: No objection subject to conditions.

Housing: No objection subject to condition.

Traffic - Regulation and Safety: Further information recommended including provision of a revised design to incorporate the RSA, further detail to demonstrate that vehicles travelling south-east can safely manoeuvre the acute turn and topography at the site entrance, provision of a more detailed Construction Traffic Management Plan, clarity on the quantum of parking, disabled parking, EV charging spaces and proposed cycle parking.

Urban Roads and Street Design: Further information recommended, having regard to the proposed intensification of the site, which demonstrates the ability for drivers to perform the acute manoeuvre from the development to continue in the southeast direction on Lover's Walk without creating a conflict point with oncoming drivers on Lover's Walk.

Operations: Further information recommended relating to public lighting including resubmission of a lighting design with lux levels in contours form.

Parks and Recreation: Insufficient baseline information provided to accurately assess losses to the landscape arising from the proposal. Appropriate Assessment, Ecological Impact Assessment (EclA) and a Tree Report to include a tree constraints plan, arboricultural method statement and tree protection plan are required.

3.2.3. Prescribed Bodies

The planning authority referred the application to the following bodies: Uisce Éireann (UÉ), Department of Housing, Local Government and Heritage, An Taisce, The Heritage Council, The Arts Council, Failte Ireland and Inland Fisheries Ireland (IFI). IFI requested that UÉ / the Local Authority signifies there is sufficient wastewater treatment capacity available to ensure, inter alia, that the proposed development does not pollute waters.

UÉ indicated no objection to the proposal in principle subject to conditions.

No other submissions were received.

3.2.4. Third party Objections / Observations

Seven submissions were received in connection with the planning application.

These are comprehensively summarised in section 7 of the Planning Officer's report and relate to housing supply, planning / procedural matters, landscaping and open space, layout and design, built heritage, wall at Lover's Walk, water services, traffic and access, biodiversity and planning precedent.

4.0 Planning History

Appeal site

Planning Authority Reference 19/38719 refers to a January 2020 decision to grant permission, subject to nine conditions, for the demolition of the existing rear annex and front porch, and the conservation, alterations and construction of a single storey extension to the rear of the former Honan Home to provide a single residential unit (partial modification to the permission previously granted under Cork City Council Ref. 18/37861).

Planning Authority Reference 19/38384 refers to a January 2020 decision to grant permission, subject to 26 conditions, for the construction of 34 no. apartment/duplex units and the extension of the existing gate lodge and all ancillary site development works at the former Cope Foundation Residential Facility. The proposed units will replace 17 no. residential units previously permitted under Cork City Council Ref 18/37861.

Planning Authority Reference 19/38380 refers to an October 2019 decision to grant permission for a two storey dwelling, entrance and all associated works at Falcon Hill, Montenotte, within the curtilage of and at the eastern boundary of Honan Home (a protected structure).

Planning Authority Reference 18/37861 refers to a November 2018 decision to grant permission, subject to 35 conditions, for:

(a) The demolition of a rear annex, the conservation and alterations to the former Honan Home, the construction of a 2-storey extension to the rear of the former Honan Home and the construction of a single storey garden pavilion to the south of the former Honan Home.

(b) The relocation and reuse of the existing entrance gateway and development of an access and associated paved area for vehicular and pedestrian access at the main site entrance at Lover's Walk.

(c) Alterations and the partial demolition of the former gate lodge and the conservation, repair and construction of 2-storey extension to the former gate lodge at the site entrance on Lover's Walk.

(d) The conservation and repair of 2 no. existing outbuildings adjacent to the former Honan Home and the construction of 2 no. 3 storey extensions to the 2 no. existing outbuildings.

- (e) The construction of 2 no. 3-storey detached dwelling houses on the north-eastern part of the site with access on to Falcon Hill and the construction of 16 no. terrace dwelling houses (comprising 15 no. 3 storey and 1 no. 2 storey unit).
- (f) All associated site and landscaping works including new boundary walls.

Planning Authority Reference 13/35628 refers to a July 2013 decision to grant permission for the construction of a stepped pathway with handrails, lighting and planting at COPE Foundation site between Middle Glanmire Road and Lover's Walk, Montenotte, Cork.

Planning Authority Reference 12/35455 refers to a March 2013 decision to grant permission for:

- (a) Construction of a new 2 storey apartment block consisting of 2 no 3. bedroom apartments, 1 No. 2 bed-room apartment and 1 No. 1 bedroom apartment for the elderly at the rear of Lee Villa House, the former known Honan Home (protected structure), connecting to Lee Villa House via a glazed link at first floor level.
- (b) The refurbishment of Lee Villa House to facilitate day care facilities and ancillary services for the elderly.
- (c) The demolition of 10 No. existing single storey chalet type residential units, all with associated landscaping and drainage

Planning Authority Reference 08/33135 refers to a February 2009 decision to grant permission for various developments at COPE Foundations premises and in the grounds attached thereto, consisting of the following;

- (a) The refurbishment of the Honan Home (protected structure) to incorporate day care services for the elderly, the demolition of existing sheds to the rear thereof, and the construction of an extension at the rear of the Honan Home building incorporating 2 no. 4 bedroom apartments, 2 no 2 bedroom apartments, and 2 no. 1 bedroom apartments for the elderly, the extension being linked at first floor level to the rear of Honan Home building.
- (b) Demolition of existing 10 no. chalet type housing units at the eastern side of the site and for the construction of 1 no. single storey block and 1 no. two storey block of sheltered housing incorporating a total of 27 single bed residential units for the elderly.

(c) The construction of an internal private access road directly connecting Honan Home premises with COPE Foundation's existing internal road network of its Beech Hill premises situated immediately to the rear of the Honan Home

5.0 Policy Context

5.1 Cork City Development Plan 2022-2028

Under the Cork City Development Plan 2022-2028, the subject site is zoned ZO1 'Sustainable Residential Neighbourhoods' with the objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.'

5.1.1 ZO 1.1: The provision and protection of residential uses and residential amenity is a central objective of this zoning. This zone covers large areas of Cork City's built-up area, including inner-city and outer suburban neighbourhoods. While they are predominantly residential in character these areas are not homogenous in terms of land uses and include a mix of uses. The vision for sustainable residential development in Cork City is one of sustainable residential neighbourhoods where a range of residential accommodation, open space, local services and community facilities are available within easy reach of residents.

ZO 1.2: Development in this zone should generally respect the character and scale of the neighbourhood in which it is situated. Development that does not support the primary objective of this zone will be resisted.

5.1.2 Volume 3 of the Cork City Plan 2022-2028 contains the Record of Protected Structures (RPS) and the Record of Monuments and Places (RMP). Honan Home at Lover's Walk in Montenotte is listed as a Protected Structure (PS621) on the RPS and it is identified on the RMP as an archaeological site (Monument No. CO074-086 - Country House). There are multiple protected structures in the vicinity of the appeal site, as referenced in section 3 of the AHIA.

5.1.3 Strategic Objective 5 relates to Green and Blue Infrastructure, Open Space and Biodiversity, and states the following:

'To strengthen the green and blue infrastructure of Cork City. To protect and promote biodiversity and habitat connectivity and protect natural areas. To protect and enhance Cork City's unique landscape character and maritime heritage. To ensure all of Cork City's residents have access to open spaces, recreation and amenity facilities and natural areas.

A strong green and blue infrastructure network is essential to the quality of life of Cork City's residents and contributes towards the creation of places where people want to live and work. It is an objective of Cork City Council to achieve a healthy, green and connected City with high-quality and interconnected open spaces, parks, diverse natural areas and green and blue corridors.

Proposals for new development in Cork City will respect and reflect the topography, landscape and ecology of the City, and will protect and enhance the City's green and blue infrastructure by ensuring that development does not fragment existing networks of green and blue infrastructure. Proposals for new development will demonstrate how green and blue infrastructure, open space, sport and recreation, landscape and biodiversity are considered commensurate to the scale and context of the development in the development process. Large-scale developments will incorporate open spaces to contribute to the green and blue infrastructure in the City.'

- 5.1.4 **Objective 6.5** relates to Trees and Urban Woodland and seeks, inter alia, to protect and enhance the City's tree and urban woodlands and to support retaining existing trees. The final paragraph of this Objective states the following: 'Proposals for new development in Cork City will respect and reflect the topography, landscape and ecology of the City, and will protect and enhance the City's green and blue infrastructure by ensuring that development does not fragment existing networks of green and blue infrastructure. Proposals for new development will demonstrate how green and blue infrastructure, open space, sport and recreation, landscape and biodiversity are considered commensurate to the scale and context of the development in the development process. Large-scale developments will incorporate open spaces to contribute to the green and blue infrastructure in the City.'

- 5.1.5 The lands have an overlying objective of 'Area of High Landscape Value.' **Objective 6.13** refers to Areas of High Landscape Value (AHLV): To conserve and enhance the character and visual amenity of Areas of High Landscape Value (AHLV) through the appropriate management of development, in order to retain the existing characteristics of the landscape, and its primary landscape assets. Development will be considered only where it safeguards to the value and sensitivity of the particular landscape. There will be a presumption against development where it causes significant harm or injury to the intrinsic character of the Area of High Landscape Value and its primary landscape assets, the visual amenity of the landscape; protected views; breaks the existing ridge silhouette; the character and setting of buildings, structures and landmarks; and the ecological and habitat value of the landscape.
- 5.1.6 **Section 6.22** of the Development Plan referring to Areas of High Landscape Value, states that they display an intrinsic landscape character and a special amenity value. Development will be appropriate only where it results in a neutral / positive impact on the landscape. Although many AHLV consist of a built form and a strong landscape character, typically the built form is secondary to the landscape character.
- 5.1.7 **Section 6.23** New development in AHLV must respect the character and the primacy and dominance of the landscape. In particular, development on topographical assets such as steep sided slopes, escarpments and ridges is considered to be inappropriate due to the detrimental impact of site and excavation works on the landscape. There will be a presumption against development where it causes significant harm or injury to the intrinsic character of the Area of High Landscape Value.
- 5.1.8 **Section 6.24** The AHLV is an additional objective overlaying the land-use zoning objective. Development proposals must comply with the underlying land-use zoning objective. The key areas include the Montenotte / Tivoli Ridge; Shanakiel Ridge / Sunday's Well Ridge; Blackpool Valley; Lough Mahon/ Douglas Estuary; River Lee / Curragheen River.

5.1.9 **Strategic Objective 7** relates to Heritage, Arts and Culture. The first paragraph states the following: ‘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.’

The final paragraph of this Strategic Objective states the following: ‘Proposals for new development must have regard to the historic built heritage of the city, particularly Protected Structures, archaeological monuments and archaeological heritage and Architectural Conservation Areas, and any development that has a detrimental impact on these assets will not normally be acceptable.’

5.1.10 The following Objectives in **Chapter 8 ‘Heritage, Arts and Culture’** are also relevant:

Objective 8.2 – Protection of the Archaeological Resource

- a. Cork City Council will protect and enhance the archaeological value of the sites (and their settings) listed in the Record of Monuments and Places (RMP) and the Historic Environment Viewer.
- b. Cork City Council will ensure that development proposals will protect and preserve archaeological sites discovered since the publication of the Record of Monuments and Places (RMP).
- c. To ensure the preservation of archaeological remains in-situ, in accordance with national policy (and in the interests of sustainability), impacts on the buried archaeological environment should be avoided where possible.

Objective 8.17 – Conservation of the City’s Built Heritage

- a. To seek to ensure the conservation of Cork City’s built heritage.
- b. To ensure that Cork’s Built Heritage contributes fully to the social and economic life of the city and to pursue actions that ensure Cork’s built heritage will benefit from good custodianship and building occupation.

Objective 8.18 – Reuse and Refurbishment of Historic Buildings

- a. The City Council will actively encourage the re-use of historic buildings in the interests of conservation and environmental sustainability to minimise waste and optimise on the embodied energy in existing buildings.
- b. Uses which will have a minimal impact on the character of historic structures will be encouraged.
- c. Alterations will adhere to best practice conservation standards.
- d. The reinstatement of lost features and removal of unsympathetic additions will be encouraged where appropriate.
- e. It is recognised that the protection and retention of historic buildings within the medieval city, has the dual advantage of protecting the rich archaeological resource and the Recorded Monument of the City Wall.

Objective 8.19 – Record of Protected Structures

To maintain a Record of Protected Structures (RPS) which shall include structures or parts of structures which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, and which it is an objective to protect.

- a. Any changes or alterations to the character of a Protected Structure which would in the opinion of Cork City Council, have a material effect on the character of the structure, will require planning permission;
- b. Cork City Council will have regard to the relevant statutory guidance issued by the central government department responsible for the built heritage, including the Architectural Heritage Protection Guidelines for Planning Authorities;
- c. Proposals for demolition of a Protected Structure shall not be permitted except in exceptional circumstances and where it can be shown that a greater public interest will be served which outweighs the loss to the architectural heritage;
- d. Any alteration or demolition of a Protected Structure shall require the preparation of a full drawn and photographic record to Best Conservation Practice;
- e. A broad range of uses will be considered for the regeneration / reuse of protected structures that are derelict / underutilised;
- f. Where the planning authority accepts the principle of demolition a detailed written and photographic inventory of the building will be made and sent to the Cork City & County Archives and the Irish Architectural Archive for record purposes;

g. Where a planning application is being granted for development within the curtilage of a Protected Structure, the conservation of the protected structure will be prioritised as the first phase of the development to prevent endangerment, abandonment and dereliction.

Objective 8.20 – Historic Landscapes

Cork City Council will ensure that the designated and undesignated historic landscapes and gardens throughout the city are protected from inappropriate development and enhanced where possible.

Objective 8.22 – National Inventory of Architectural Heritage

Cork City Council will have regard to Ministerial recommendations to the City Council to consider the designation of the buildings and gardens listed in the National Inventory of Architectural Heritage as Protected Structures. Cork City Council will consider the structures listed in the NIAH for protection, by designation of Protected Structures; by the adoption of Architectural Conservation Areas to protect groups of buildings; or by whatever other means the Council considers will most effectively protect the architectural heritage of the city. These Ministerial Recommendations will be taken into account when the Cork City Council is considering proposals for development that would affect the historic or architectural interest of these structures. Cork City Council will seek to engage with key stakeholder groups, including public representatives, building owners and the public to develop the most appropriate response for the protection of specific buildings, groups of buildings and historic areas.

5.1.11 Other relevant information relating to this proposed residential development is as follows:

- **Chapter 2 Core Strategy** – Notes that Cork City Council has ambitious housing targets for brownfield sites, and seeks to optimise the supply of housing on greenfield sites.
- Chapter 11 Placemaking and Managing Development.
- Section 11.91 sets out qualitative standards for apartments.

- Section 11.93 requires schedule of accommodation to include, inter alia, floor areas, storage space, private amenity space, dual aspect units to be provided for applications relating to apartment schemes / mixed housing development.

5.1.12 Chapter 3 of the Development Plan relates to ‘Delivering Homes and Communities.’ While not definitive, the map at Figure 3.3 classifies the appeal site as ‘Inner urban suburb.’ **Objective 3.1** states that the City Council will seek to utilise the Urban Towns, Hinterland Villages and City Neighbourhoods as spatial units to develop sustainable neighbourhoods. **Objective 3.4** states that at least 66% of all new homes should be provided within the existing footprint of Cork, with 33% of all new homes within brownfield sites.

5.1.13 Chapter 11 relating to ‘Placemaking and Managing Development’ includes Figure 11.1 ‘Density and building height spatial strategy.’ While not definitive, this map classifies the subject site as being within the ‘Fringe / Corridor / Centre’ with target densities to range from 50 (Lower) to 150 (Upper) units per hectare.

5.2 National Guidance

5.2.1 Project Ireland 2040: National Planning Framework

The National Planning Framework (NPF) has a very clear focus on achieving brownfield / infill development, which means encouraging more people, jobs and activity generally within existing built-up areas. The NPF notes that securing compact and sustainable growth requires a focus on the liveability of urban places, continuous regeneration of existing built up areas, dealing with legacy issues such as concentrations of disadvantage in particular areas, and linking regeneration and redevelopment initiatives to climate action.

5.2.2. **National Strategic Outcome 1, Compact Growth**, recognises the need to deliver a greater proportion of residential development within existing built-up areas. Activating

these strategic areas and achieving effective density and consolidation, rather than sprawl of urban development, is a key priority.

5.2.3 The following are relevant to the subject appeal:

National Policy Objective 2a: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs

National Policy Objective 5: Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

National Policy Objective 6: Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

National Policy Objective 27: seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.

National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-base regeneration and increased building heights.

5.2.4 **Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).**

Table 3.1 'Areas and Density Ranges Dublin and Cork City and Suburbs'

It is considered that the appeal site falls within the 'City – Urban Neighbourhoods' category where residential densities in the range 50 dph to 250 dph (net) shall generally be applied.

SPPR 3 relates to car parking; Part (i) states the following:

In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2), car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.

SPPR 4 relates to cycle parking and notes that safe and secure storage facilities should be provided in a dedicated facility of permanent construction.

Section 3.4 relates to 'Refining Density' and under section 3.4.2 'Considerations of Character, Amenity and the Natural Environment' it is noted that 'New development should respond to the receiving environment in a positive way and should not result in a significant negative impact on character (including historic character), amenity or the natural environment.'

5.2.5 Sustainable Urban Housing: Design Standards for New Apartments –

Guidelines for Planning Authorities (DHLGH, 2023). These guidelines provide for a range of information for apartment developments including detailing minimum room and floor areas.

5.2.6 Architectural Heritage Protection - Guidelines for Planning Authorities (DoAHG, 2011 updated).

5.2.7 Quality Housing for Sustainable Communities (DoEHLG, 2007).

5.3 National Inventory of Architectural Heritage (NIAH).

Honan Home is listed in the NIAH (Reg. No. 20863145) as being of Regional importance.

5.4 Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European site. The nearest European Site is Cork Harbour SPA located approximately 2.7 km to the south-west.

5.5 EIA Screening

See Forms 1 and 2 below. Having regard to the nature of the proposed development comprising the construction of a total of 42 no. residential units, to include the internal reconfiguration of the former Honan Home to facilitate 10 residential units, along with all associated ancillary development works to include footpaths, drainage and landscaping on a brownfield site, in an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1 Grounds of Appeal

This is a first-party appeal against the decision of Cork City Council to refuse permission for the proposed development. The grounds of appeal are summarised under relevant headings, as follows:

Impact on Honan Home / Compliance with Development Plan Objectives

- Disagree that the proposal would cause detrimental impacts to Honan Home and that the development would contravene Strategic Objective 7 and other objectives listed in the first refusal reason. On the contrary, the proposed development will assist in achieving and delivering the objectives of the Development Plan, including Strategic Objective 7 and those referred to in the first refusal reason.

- Unlike previous proposals permitted by the Council, the development retains all external walls of Honan Home and proposes no demolition of any element of the protected structure.
- As outlined in the AHIA the proposed development is a well-considered and appropriate redevelopment of the site. While there will be some alterations to the setting of the undermaintained premises, the conservation of historic elements and sustainable repurposing of the existing buildings will have an overwhelmingly positive impact on the built heritage of the site.
- In relation to Objectives 8.18 (Reuse and Refurbishment of Historic Buildings) and 8.19 (Protected Structures) the proposal facilitates the re-use of all historic buildings and will reverse alterations made. Proposed alterations to Honan Home will adhere to best practice conservation standards. The proposal is therefore consistent with Objectives 8.18 and 8.19.
- The Conservation Officer's assessment does not objectively compare the level of intervention in the previous applications (which included significant demolition) with the current proposal which does not propose any demolition. Previous applications permitted by the Council involved the demolition of the majority of the fabric of the existing protected structure.
- The Conservation Officer's report fails to acknowledge the deterioration and significant level of intervention that has already taken place both internally and externally within Honan Home under the ownership of the Cope Foundation, which are recorded in the AHIA.
- The works to integrate the proposed new units into the protected structure will be undertaken observing principles of minimal necessary intervention, maximum retention of existing fabric and the use of appropriate techniques and materials during the works which will be supervised by a conservation architect.
- The proposed development will lead to a significant nett positive to the conservation and long-term viability of the house.

Landscaping / Visual Impact

- A comprehensive landscape plan and a Landscape and Visual Impact Appraisal (LVIA) was provided which demonstrates the proposed development would be landscaped to a very high standard and would not have a negative visual impact.
- The LVIA concludes that within the subject site, the development will be most prominent locally (within the site) and that the proposal would transform the site from its current derelict and unkempt state to a functional residential neighbourhood with a restored historic building at its core.
- The site has the capacity to accommodate the proposed development without incurring adverse impacts on receptors in the landscape by virtue of existing tree cover on the site and on adjoining sites. Previous permissions were not considered to have an unacceptable visual impact despite the fact that a similar scale of development was proposed.
- The application was accompanied by a specialist arborist report and comprehensive landscape plan. The majority of trees proposed for removal are of poor quality and proposed tree planting will help ensure the longevity of tree cover across the site and will mitigate visual impact.
- An alternative site layout (Figure 5 in appeal submission refers) is submitted which omits the 3 proposed residential units (Block E) to the south of the existing house. This will further protect existing trees on the site.
- There will be minimal additional areas of hard landscaping as part of the proposed development. The existing grounds already have extensive hardstanding areas including an avenue to the front of the house. The previously permitted development (Figure 4 in the appeal submission refers) had more extensive areas of hard landscaping than the current proposal.
- The access road to the front of the house will be widened slightly under the current proposal. It is inaccurate to state that the proposed development will result in the removal of extensive areas of vegetation and that these are replaced with hardstanding.

Scale and Density

- Reference made to the third refusal reason, particularly that the proposal constitutes overdevelopment, despite that the scale of development has been reduced under this current proposal when compared to the previous application.
- 29 no. units are proposed across the site, excluding the 13 units to be accommodated in existing buildings. This number decreases to 26 when the aforementioned 3 no. units are omitted. This is less than the development already permitted under Reg. Ref. 19/38384 which permitted 34 residential units across the site.
- The 2024 Sustainable and Compact Settlement Guidelines promote higher densities and greater flexibility. The decision on this application is contrary to the Cork City Development Plan which supports higher densities. The site is located in an area identified between City and Central Areas and Fringe / Corridor / Centre where densities between 50 to 150 dwellings per hectare and heights between 5 and 6 storeys are encouraged.
- The proposed development is consistent with the objectives of the Development Plan, is of an appropriate scale and will not adversely impact on Honan Home.

The following Appendices are attached to the appeal:

1. Cork City Decision Ref. 24/42816.
2. Revised Site Layout Plan (Drawing Ref. MONT-XX-XXX-DR-RAU-AR-1001).
3. Letter from John Cronin and Associates which is summarised as follows:
 - Correspondence endorses the first party grounds of appeal.
 - It is considered that the Conservation Officer's commentary on the planning application is unfair and not proportionate.
 - The submitted AHIA includes a detailed table of room by room descriptions and annotated floor plans and includes the location of all existing historic fabric. The appendices include, inter alia, a detailed photographic record.

- It was open to the planning authority to seek additional information or to stipulate agreement of a conservation method statement prior to commencement of works.
- The Conservation Officer does not state the number of units which would be considered appropriate within the house.
- The proposal provides that the house is to be reused and that no demolition is proposed; this should be seen as a positive.
- The proposal will have an overwhelmingly positive impact on the built heritage resource at this location.
- The deterioration of the historic elements of the site as demonstrated in the photographic record points to the importance of any development proposals economic viability to ensure it is brought to fruition.

6.2 Planning Authority Response

The planning authority considers that the decision to refuse permission is consistent with the provisions of the Cork City Development Plan 2022-2028 and the proper planning and sustainable development of the area.

6.3 Observations

None.

7.0 Assessment

7.1 Having examined the application details and all other documentation on file, including the reports of the local authority, and having inspected the site and the protected structure, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Impact on the Built Heritage
- Visual Impact and landscape sensitivity
- Scale and Density

- Matters Arising / Residential Amenity
- Appropriate Assessment

7.2 Impact on the Built Heritage

7.2.1 The first reason for refusal states, inter alia, that the proposed works to the protected structure would result in detrimental impacts to its special character.

7.2.2 The proposed development site encompasses the curtilage of a protected structure, Honan Home (RPS No. 621). The property is included in the National Inventory of Architectural Heritage (NIAH Reg. No. 20863145) as being of regional architectural interest. As set out in the Planning and Development Act 2000, as amended, a protected structure includes the interior, land lying within the curtilage and any other structures lying within that curtilage and interiors and all fixtures and fittings which form part of any interior or exterior of any structure. The Cork City Development Plan 2022-2028 includes several policies and objectives to ensure the protection of the architectural heritage assets, including protected structures, within the city. Section 8.25 notes that alterations to a protected structure should ensure there is no damage to its special character, while section 8.27 notes the importance of historic landscapes and gardens, which contribute to the setting and character of protected structures. In this regard, the objectives of the Plan seek to ensure the protection of all such structures including their curtilages and to ensure that all development proposals are sympathetic to its special character and are appropriate in terms of architectural treatment, character, scale, and form.

7.2.2 This application comprises two main elements. Firstly, works are proposed to the three historic buildings on the site, including the protected structure, to facilitate residential development. 10 units are proposed for Honan House, two units are proposed for the derelict stone outbuilding known as the Tank Building, while the disused gate lodge would also be renovated and extended to facilitate a single dwelling. Secondly, the proposal as applied for also involves the development of five residential blocks incorporating a total of 29 residential units.

7.2.3 The Architectural Design Statement considers the proposed development against the 12 criteria outlined in the Urban Design Manual: A Best Practice Guide (2009). The submitted AHIA describes, inter alia, the subject site, the historical background

and context relating to the protected structure, and assesses the impact of the proposed development on the historic buildings and lands. Appendix 1 of the AHIA includes a photographic record of the site and its historic buildings, along with photos of the interior of the protected structure. Appendix 3 provides room-by-room descriptions.

7.2.4 I note and share the concerns articulated in the Cork City Architectural Conservation Officer's (ACO's) report in relation to the number of proposed units to be incorporated into the protected structure. While I acknowledge that the protected structure has previously undergone changes associated with its former uses, the provision of 10 residential units and the required associated services would necessitate multiple new openings and constitute significant new interventions into the existing built fabric of the protected structure. The proposed new lift and stair core would also, in my view, have the potential to adversely impact on the protected structure.

7.2.5 I acknowledge the appellant's contention that unlike previously approved proposals, this development involves less demolition works to the protected structure. However this proposal must be assessed on its own merits and in accordance with the information submitted with the planning application. While reference is made in correspondence attached to the appeal submission that the ACO has not stated the number of units which would be considered appropriate within the house, this would not, in my view, be the role of the Architectural Conservation Officer.

7.2.6 I concur with the ACO's report that there is a lack of information in the application documentation relating to the proposed development of the protected structure and the two other historic structures (the gate lodge and the stone outbuilding) located within the curtilage of the site. Whilst the AHIA and the appeal submission state that works will be carried out in accordance with conservation best practice, no documentation to support this contention is provided, such as conservation method statements or conservation repair specifications. Insufficient detail is provided on drawings regarding the external finishes to the protected structure, while the location of surviving historic features within the structure is not provided in drawings.

7.2.7 In the absence of a full and detailed description and methodology of all works proposed / required, including works relating to the insertion of services, I am not

satisfied that the proposed development will not negatively impact on the character of the protected structure, gate lodge and tank building on this historic site.

7.2.8 As detailed above, the second element of the proposal provides for the development of 29 residential units in five residential blocks (A to E) across the site. The Conservation Officer's report expresses particular concerns in terms of the siting of Blocks B and E and is broadly critical of the design and materiality of the proposed new dwellings within the curtilage of the protected structure.

7.2.9 Block B comprises a terrace of 5 no. two storey units approximately 8 metres in height. In my view, the separation distance between this block and Honan Home is inadequate at approximately 0.8 metres. This block visually competes with the protected structure and I agree with the ACO's report that its position on the grounds erodes the setting of the historic house.

7.2.10 Block E comprising 3 no. split level units would also likely erode the setting of the protected structure and impede views of it from the south and south-east. A revised site layout plan which demonstrates omission of Block E located at the south-eastern part of the site was submitted with the first party appeal. The omission of this block would overcome this issue.

7.2.11 In terms of the overall design and finishes to the proposed new residential units, I consider that they do not relate, in terms of architectural features and finishes, to the character and / or setting of the protected structure. In my view the proposed development of the residential blocks on the grounds of the protected structure reads as a standalone scheme and not one which has been designed to assimilate with the historic curtilage of the protected structure and the other historic on-site structures.

7.2.12 Having regard to the foregoing, I consider that the proposed development would negatively impact the built heritage on the lands and would be contrary to Strategic Objective 7, and Objectives 8.2, 8.17 and 8.18 of the Cork City Development Plan 2022-2028. I recommend refusal of permission on this basis.

7.3 Visual Impact and landscape sensitivity

7.3.1 The second and third refusal reasons relate to the impact of the proposed development on the visual amenities of the area. Refusal reason No. 2 focuses on the impact on the historic landscape setting of the former Honan Home. Refusal

reason No. 3 states that the proposed development would result in a contravention of three objectives of the City Development Plan on the basis of, inter alia, design and extent of hard landscaping and negative visual impact upon the intrinsic character of the Area of High Landscape Value (AHLV) and the resulting loss of vegetation which would impact negatively on biodiversity.

7.3.2 In terms of visual impact, the appeal lands adjoin a Landscape Preservation Zone and form part of lands designated 'Areas of High Landscape Value' (AHLV) in the Cork City Development Plan 2022-2028. I note that a Landscape and Visual Appraisal (LVA) is provided which identifies seven viewpoints considered by the appellant to represent a variety of visual receptors in the vicinity. Whilst reference is made in the LVA to a booklet of photomontages associated with the chosen viewpoints, these do not appear to have been provided as part of the planning application, and as such are not on file. Therefore, it is not possible to validate / assess the results presented in the LVA.

7.3.3 Notwithstanding, I have concerns about the proposed development (as applied for and as amended at appeal stage) in terms of its impact on the Montenotte / Tivoli Ridge, particularly when viewed from the southern side of the River Lee. The appeal site is highly sensitive, as evidenced by its AHLV designation and is highly visible given its elevated position, although presently well-screened by trees and vegetation. Notwithstanding the residential zoning which applies to the site, in my opinion, any proposed development must accord with the Development Plan policies and designations which pertain to the lands. It has not been demonstrated that the proposed development, which includes an additional 5 residential blocks (or 4 blocks as per the revised layout plan submitted with the appeal) on the lands would not negatively impact on the high amenity landscape character of the Montenotte / Tivoli Ridge.

7.3.4 Furthermore, it is apparent that there will be a significant loss of vegetation and trees across the site to facilitate the residential blocks. In this regard, the Landscape Design Rationale indicates that over 80 trees of varying quality are to be removed. I share the concerns of the Parks Section that there is insufficient information provided to facilitate accurate assessment of the biodiversity and tree cover losses to this historic site and the wider landscape arising from the proposed development. A range of information is required to assess this issue as set out in the Parks report,

including a Tree Report (to include a Tree Constraints Plan, Arboricultural Method Statement and Tree Protection Plan), and an Ecological Impact Assessment (EclA) report to include habitat mapping, an Invasive Alien Plant Species (IAPS) Survey, non-volent mammal surveys with trail cameras and a bat survey for roosting and foraging bats. In the absence of the aforementioned plans, assessments and surveys, I consider that the proposed development cannot be fully and properly assessed.

- 7.3.5 Having regard to the foregoing, my view is that it has not been demonstrated that the proposal would not result in an unacceptable visual impact on the character of the AHLV, causing injury to the local and wider landscape. Furthermore, I consider that the proposed development would contravene Strategic Objective 5 which relates, inter alia, to green infrastructure and biodiversity, Objective 6.5 relating to trees and urban woodlands and Objective 6.13 relating to Areas of High Landscape Value, and as such, would be contrary to the proper planning and sustainable development of the area.

7.4 Scale and Density

- 7.4.1 The third refusal reason states, inter alia, that the proposed development constitutes overdevelopment in this sensitive landscape on account of 'the number of units, building form, composition, design and extent of the proposed hard landscaping.' The proposed development is for the construction of 42 residential units (or alternatively 39 units on foot of the revised layout submitted at appeal stage). The total gross site area is given as 1.46 ha, however as referenced on the site plan, the total developable area is considered to be approximately 1.22 ha when the lands restricted by wayleaves and steep topography are considered.
- 7.4.2 Based on this lower site area of 1.22 ha, the resultant net densities would be circa 34 units per hectare (uph) and 32 uph for 42 and 39 units respectively. Local planning policy as set out in the current Cork City Development Plan seeks to optimise and encourage higher densities where this is appropriate. Objective 3.5 'Residential Density' seeks to promote compact urban growth by encouraging higher densities throughout Cork city. Figure 11.1 'Density and building height spatial strategy' of the Development Plan appears to categorise the appeal site as being

located within the 'Fringe / Corridor / Centre' with target densities to range from 50 (Lower) to 150 (Upper) units per hectare.

- 7.4.3 I do not concur with the planning authority's assessment that the proposed development constitutes overdevelopment of this site. In my opinion, having regard to the constraints associated with this sensitive site, namely its topography, the landscape designation pertaining to the lands and the protected structure and other historic buildings within its grounds, a density similar to that sought by the current proposal would be acceptable, subject to an appropriate layout and design which would respond in a positive way to the aforementioned site constraints and would not negatively impact on the protected structure and grounds.
- 7.4.4 While the appellant contends that the proposed number of units in this application is less than the 34 units permitted under Reg. Ref. 19/38384, it is clear that a total of 42 units is proposed inclusive of an additional 13 units within the historic buildings on the lands (i.e. 10 within the protected structure, one for the Gate Lodge and two for the Tank building). I note that the permissions under Reg. Ref. 18/37861 and 19/38384 have not been implemented. It is considered that this current planning application for the subject lands, assessed in accordance with the provisions of the current Cork City Development Plan 2022-2028, must be examined on its own merits.

7.5 Matters Arising / Residential Amenity

- 7.5.1 In addition to the absence of the surveys, reports and plans identified by both the Conservation Officer and the Parks section, as detailed earlier in this report, inadequate and insufficient / inadequate information is submitted in relation to several other aspects of the proposed scheme, including surface water drainage, transportation matters, public lighting and landscaping.
- 7.5.2 Furthermore, given the absence of site section drawings adequately demonstrating the height relationship between proposed blocks A, C, D and E and existing dwellings on adjoining lands, it is not possible to fully assess the impacts of the proposed development on the residential amenities of adjoining dwellings.
- 7.5.3 Section 11.93 of the current Cork City Development Plan requires that all applications for planning permission for apartment schemes or mixed housing developments submit a schedule that details the number and type of apartments and

associated individual unit floor areas, including the number of dual aspect units, private amenity space size, storage space, access, proposed tenure and level of accessibility. No such schedule has been provided, and it is therefore not possible to comprehensively assess the residential amenity offered by the proposed development to future occupants.

- 7.5.4 I share the Planning Officer's concerns regarding the potential of overlooking between Blocks D and E. The option to omit Block E as per the revised site plan submitted at appeal stage is welcomed, and would address this matter. I also have concerns that there would be potential overlooking impacts from the front balconies and windows of Block A onto the rear private amenity space of the Gate Lodge.

7.6 Appropriate Assessment Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

- 7.6.1 I have considered the proposed development on lands at Lovers Walk, Montenotte, Cork in light of the requirements of sections 177S and 177U of the Planning and Development Act 2000 as amended. The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). The subject site is located approximately 2.7 km west of Cork Harbour SPA (Site Code:004030) and approximately 6.5 km west of Great Island Channel SAC (Site Code:001058).
- 7.6.2 The proposed development comprises demolition of annexes and construction of extensions to Honan Home (a protected structure), reconfiguration of the protected structure to provide 10 no. residential units, the extension and conversion of the gate lodge and the existing tank house to provide for 3 units in total, the construction of 29 residential units, and all associated ancillary development works. The proposed development will be connected to the local water and wastewater networks. In terms of surface water services, development proposed at the western part of the site and the refurbished protected structure are to be served by attenuation tanks, while all other proposed units will be individually attenuated, to be discharged to the existing surface water network at a rate equal to the Greenfield run-off rate. Drainage Division recommends that further information be requested in relation to surface water drainage.

7.6.3 A screening report for Appropriate Assessment was not provided with the planning application. The Planning Officer's report notes that no information relating to Appropriate Assessment and no ecological survey and tree survey have been submitted. The planning report confirms that a Natura impact assessment was not required in relation to previously permitted residential developments on the lands (Reg. Refs. 18/37861 and 19/38719 refer). However, since permission was granted, the report notes that the subject site has become overgrown, and it is considered that there is potential for ex-situ species on the site. As such, the Planning Officer determined there is insufficient information provided to undertake a screening exercise for Appropriate Assessment of the proposed development.

7.6.4 I note there is no hydrological connection between the subject site and any European Site. In terms of the potential for ex-situ effects, the appeal site does not represent a favourable habitat for bird species connected with Cork Harbour SPA for resting, foraging, breeding, roosting etc. In the event that bird species connected with Cork Harbour SPA occasionally use the site, there are ample alternative sites in the vicinity.

7.6.5 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 reasons for this conclusion are as follows;

- The nature and relatively small scale of the development on lands zoned for residential development.
- The location of the brownfield development site and distance from nearest European site(s), and the lack of connections between the development site and European sites.

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.

8.0 Recommendation

I recommend that permission is refused for the following reasons and considerations.

9.0 Reasons and Considerations

1. Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural and archaeological interest which is listed as a protected structure and an archaeological monument in the Cork City Development Plan 2022 - 2028, it is considered that the conversion of Honan Home to 10 residential units would constitute a significant intervention into the existing built fabric of this house, which would not represent an appropriate or sympathetic design response, and would materially and adversely affect the character of this protected structure. The proposed development would, therefore, contravene Strategic Objective 7 and Objectives 8.2, 8.17 and 8.18, of the Cork City Development Plan 2022 - 2028, and would be contrary to the proper planning and sustainable development of the area.

2. Objective 8.20 of the Cork City Development Plan 2022 – 2028 seeks to protect historic landscapes and gardens throughout the city from inappropriate development. The proposed loss of extensive areas of vegetation within this historic landscape, along with the generic design of the proposed new residential blocks which fails to assimilate with the historic curtilage of the protected structure, would be contrary to Objective 8.20 of the Cork City Development Plan 2022 – 2028. The proposed development would, therefore, be seriously injurious to the visual amenities of the historic landscape and contrary to the proper planning and sustainable development of the area.

3. The site, located in an elevated position on the steeply sloping Montenotte /Tivoli Ridge, is within an area designated as an ‘Area of High Landscape Value’ (AHLV) in the Cork City Development Plan 2022 – 2028. It has not been demonstrated to the satisfaction of the Board that the proposed development would not result in an unacceptable and negative visual impact on the intrinsic character of the AHLV and its primary landscape assets and features. The proposed development is therefore contrary to Objectives 6.5 and 6.13 of the Development Plan which seek, respectively, to conserve and enhance the character and visual amenity of such areas through the appropriate management of development and to protect and enhance the city’s green and blue infrastructure. Further, the proposed development

is contrary to Strategic Objective 5 which requires that new development in Cork City will respect and reflect the topography, landscape and ecology of the City. The proposed 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, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

John Duffy
Planning Inspector

29th November 2024

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-319981-24		
Proposed Development Summary	The proposed development comprises the construction of 42 no. residential units at the former Cope Foundation Residential Facility (formerly known as Honan Home - a Protected Structure) and all associated development works.		
Development Address	Lovers Walk, Montenotte, 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	Tick if relevant. 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)?			
Yes	X	Schedule 5 Part 2 10(b)(ii) construction of more than 500 dwelling units.	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			

Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Schedule 5 Part 2 10(b)(ii) construction of more than 500 dwelling units.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Screening determination remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: _____ **Date:** _____

Form 2
EIA Preliminary Examination

An Bord Pleanála Case Reference Number	ABP-319981-24
Proposed Development Summary	The proposed development comprises construction of 42 no. residential units at the former Cope Foundation Residential Facility (formerly known as Honan Home - a Protected Structure) and all associated development works.
Development Address	Lovers Walk, Montenotte, Cork.
<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>	
<p>Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The site is located on residential zoned lands. The proposed development is not exceptional in the context of the existing environment. There is residential development in the vicinity of the site. The proposed development site has a stated total area of 1.46 ha. The subject site contains a protected structure (Honan Home) and two other historic buildings. No very significant demolition works are proposed. The development, by virtue of its type, does not pose a risk of major accident and / or disaster, and it presents no risks to human health. Construction waste can be managed through standard Waste Management Planning. Localised construction impacts will be temporary.</p>
<p>Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European</p>	<p>The nearest European Site is the Cork SPA, located approximately 2.7 km to the east. The subject lands are located in an elevated position on the steeply sloping Montenotte / Tivoli Ridge and contain a protected structure and its attendant grounds. The site is zoned for residential</p>

sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).		purposes and is presently overgrown with vegetation.	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		Any issues arising from proximity / connectivity to European Sites can be adequately dealt with under the Habitats Directive (Appropriate Assessment). Proposed development is unlikely to have significant effects on environmental parameters. Likely limited magnitude and spatial extent of effects. No potential for significant effects on the environmental factors listed in section 171A of the Act.	
Conclusion			
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No	
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No	
There is a real likelihood of significant effects on the environment.	EIAR required.	No	