



An  
Bord  
Pleanála

## Inspector's Report

### ABP-322139-25

<b>Development</b>	Permission for proposed alterations and upgrades to the existing shopfront and signage to Victoria Casino and alterations to an existing emergency access to MacCurtain Street.
<b>Location</b>	Victoria Casino, 28 MacCurtain Street, Cork, T23 CX7K.
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	2443000
<b>Applicant(s)</b>	V.S.C. Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	V.S.C. Limited
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	13 <sup>th</sup> June 2025
<b>Inspector</b>	Aisling MacNamara

## 1.0 Site Location and Description

- 1.1. The site is located mid terrace on MacCurtain Street, Cork City Centre. The application relates to the ground street front shopfront of a three storey building. The shopfront comprises a shopfront for Victoria Casino, Chasing Ghosts Tattoo Shop and an emergency doorway access to the upper floors. The application relates to the Victoria Casino shopfront and the emergency access doorway and does not relate to the Tattoo shop shopfront. This is a busy mixed use central urban commercial street within the Victorian Quarter of the city.

## 2.0 Proposed Development

- 2.1. Permission is sought for:
- Proposed alterations and upgrades to the existing shopfront and signage to Victoria Casino,
  - Alterations to the existing emergency access to MacCurtain Street.

The following documents are included with the application:

Shopfront Design Rationale

Architectural Heritage Impact Assessment

Engineers report on External Automatic Fire Exit Doors

Visual photomontages are submitted of the proposed development

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority decided by order dated 25<sup>th</sup> February 2025 to grant permission subject to three conditions.

Condition 2:

*Within 3 months of this grant of permission the applicant shall submit revised drawings fully detailing revised proposals, for the access to MacCurtain Street, to replace the existing sliding entrance doors. Unless otherwise agreed with the*

*Planning Authority a recessed access with outward opening doors that is appropriate in terms of design and materials to the character of this National Inventory of Architectural Heritage building (Reg: 20512484) and the MacCurtain Street Architectural Conservation Area shall be provided. Subject to the written approval of the Planning Authority, the approved access, shall be fully implemented with 6 months of this grant of permission, save a revised timeframe is agreed in writing.*

*Reason: In the interest of the protection of architectural heritage.*

Condition 3:

*Within 3 months of this grant of permission, the developer shall submit revised details of glazing and signage (window display) for the written agreement of the Planning Authority. The works shall be completed within 6 months of this grant of permission.*

*Reason: In the interest of visual amenity, protection of architectural heritage and clarity.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The first report of the Case Planner (02/08/2024) sets out a recommendation to request further information on five items.
- Further Information was requested on 02/08/2024 in relation to the following:  
(1) applicant is requested to remove consoles above the emergency exit door, the retention of the existing fascia would be appropriate but improvements to the emergency exit in terms of the replacement door and timber cladding or the pilasters is recommended; (2) Sliding doors are inappropriate in terms of design and material and at odds with the character of this NIAH structure and streetscape; should be replaced with doors sympathetic to the character of this historic building; give consideration to creating a recess for insertion of outward opening doors; (3) Update drawings to show removal of black and red film on windows and stall risers; (4) clarify if lighting proposed externally apart from back lit metal lettering to fascia; (5) removal of the digital screens/ signage welcomed, submit proposals for the replacement signage.

- Response to Further Information request received on 01/10/2024 submitting revised drawings and details.
- The second report of the Case Planner (24/10/2024) sets out a recommendation to request clarification of the further information response. The report of the SEP (25/10/2025) indicates agreement with a recommendation to request clarification.
- Clarification of Further Information requested on 29/10/2024 in relation to two items: (1) Sliding doors have not been removed – applicant requested to remove the sliding doors from the proposal and introduce a recess with outward opening doors with materials and design sympathetic to historic character of building and streetscape. Fire egress capacity requirements can be met by recessed doors; (2) Remove frosted glazing /decal signage and give consideration to dark tinted glazing. The proposed frosted glazing / signage decals would be visually obtrusive and detract from streetscape and would not provide appropriate window display.
- Response to Clarification request received on 29/01/2025. No revised proposals submitted. Sliding doors should be retained for fire safety grounds (as per that of 5 St.Patrick's Quay), disagree that there would be adverse impact on character of ACA. Window treatment and decals can be agreed at compliance stage.
- The third report of the Case Planner (25/02/2025) sets out a recommendation to grant permission with conditions. The report of the SEP (25/02/2025) sets out a recommendation to grant permission with amended conditions.

### 3.2.2. Other Technical Reports

- Conservation Officer: Report dated 24/02/2025 states no objection subject to recommended condition requiring that within one year of the grant of permission, the existing sliding entrance doors shall be replaced by an entrance arrangement (such as recess with outward opening doors) that is appropriate in terms of design and materials to the character the NIAH building and ACA and drawings shall be agreed with planning authority prior to development. Report dated 01/08/2024 recommends FI, consoles above

emergency exit door to be removed, sliding door is inappropriate in terms of design and material, consider option for recess and outward opening doors, film to windows and stall risers are visually obtrusive and submit proposals for removal, clarify lighting.

- Executive Technician: no objection, no development contribution or supplementary development contribution applies.

### **3.3. Prescribed Bodies**

None

### **3.4. Third Party Observations**

Two third party submissions were received. The following issues are raised:

- Objects on the basis that there will be a negative impact on the appearance and character of historic McCurtain Street.
- Given the nature of the casino use and existing number of other similar establishments in the vicinity, the signage / advertising indicating presence of casino should be discouraged in the interest of vibrancy and quality of the street where significant investment has been made in public realm in recent years.
- Permission has been refused for gaming arcade / casino at no.28 previously (22/40860) however notwithstanding, the Council issued notification in Feb 2024 stating that the continued use of no.28 as gaming arcade / casino was exempted development in accordance with Section 5 of Planning and Development Act 2000. The Council erred in their section 5 determination.
- Urge refusal of permission - negative impact on amenity of the street.

## **4.0 Planning History**

The planning history at the site:

- PA22/40860 (ABP 313470-22) - V.S.C. Limited – Refuse - retention of new pedestrian entrance to an existing gaming arcade, elevational alterations and

external signage at 28 MacCurtain Street and retention of elevational alterations and new signage at 5 St. Patrick's Quay. The development consists of works to a protected structure ref PS410 at 5 St. Patrick's Quay. Reason (1) The pedestrian entrance design onto MacCurtain Street and the nature and extent of signage proposed to be retained on both the MacCurtain Street and St. Patrick's Quay elevations would give rise to visual clutter, would seriously injure the visual amenities and character of the streetscape and would detract materially from the ACA, would not present a positive enhancement of no.5 St. Patrick's Quay which is a protected structure. The development to be retained would be contrary to Cork City Development Plan 2022-2028 in relation to advertising, development in ACAs and protected structures.

- Section 5 R812/23 – The replacement of barber shop use with a previously permitted gaming arcade / casino use at 28/28b MacCurtain Street, Cork (excluding physical works carried out to the property) IS Not Development, issued 29/02/2024
- Enforcement E8133 – Coastline Gaming Ltd at 5 Patrick's Quay
- Enforcement E8340 – Change of use of no.28 MacCurtain Street from Barbers shop to casino and unauthorised signage at no.28 MacCurtain Street and 5 St. Patrick's Quay.

#### 5 Saint Patrick's Quay:

- PA 23/41706 (ABP317836-23) – V.S.C. Ltd - Grant - permission for proposed alteration to existing signage and retention works to front elevation and two pedestrian entrances. The proposed development consists of replacement of two existing illuminated signs, the removal of existing strip lighting from the front elevation and relocation of existing down light fixtures. Retention is sought for the existing main entrance at ground floor and removal of pre existing render panels above ground floor arches.

## 5.0 Policy Context

### 5.1. Development Plan

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

- The land use zoning for the area is 'City Centre' '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'.
- 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 & 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 8.22 National Inventory of Architectural Heritage (NIAH)

*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.*

- Objective 8.23 Development in Architectural Conservation Areas

*Development in Architectural Conservation Areas should have regard to the following:*

*a. Works that impact negatively upon features within the public realm, such as stone setts, cobbles or other historic paving, railings, street furniture, stone kerbing etc. shall not be generally permitted;*

*b. Design and detailing that responds respectfully to the historic environment in a way that contributes new values from our own time. This can be achieved by considering layout, scale, materials and finishes and patterns such as plot divisions in the surrounding area;*

*c. Historic materials and methods of construction should be retained and repaired where this is reasonable, e.g. historic windows and doors, original roof coverings, metal rainwater goods should be retained along with original forms and locations of openings etc;*

*d. Repairs or the addition of new materials should be appropriate and in keeping with the character of the original structures.*

- Paragraph 8.36 *“New development in Architectural Conservation Areas should have regard to existing patterns of development, the city’s characteristic architectural forms and distinctive use of materials. However, it*



*is expected that new development should generally reflect contemporary architectural practice, and not aim to mimic historic building styles.”*

- 11.192 Casinos / Private Member's Clubs

*The following (but not limited to) shall be taken into consideration when assessing applications for casinos / private members' clubs:*

- 1. The amenity of neighbouring residents and occupiers;*
- 2. Hours of operation;*
- 3. Traffic management;*
- 4. The external appearance and design of the casino/private members' club shall not detract from the streetscape and it is recommended that an appropriate shop front with a window display be included in proposals;*
- 5. An excessive concentration of casinos/private members' clubs will not be permitted.*

- Paragraph 11.193 Shop Fronts and Commercial Facades

*Shop fronts and façades are one of the most important elements in determining the character, quality and image of commercial streets. As such:*

- 1. Original, traditional shop fronts, pub fronts and façades shall be retained, preserved or restored;*
- 2. Contemporary shop / pub fronts will be considered when: materials and proportions are appropriate to the scale and fabric of the building and/or street, the design complements the design of the upper floors of the building, the shop front/façade does not extend into the floor above concealing first floor window cills and existing elevations are not straddled;*
- 3. The City Council will aim to reduce visual clutter and control the number and type of signs that are displayed;*
- 4. Generally the use of external roller shutters/ security screens shall not be permitted on the front of shops. If required they should be placed behind the shop front display;*

*5. Consideration will be given to the protection and enhancement of the architectural character of the city. Particular care and regard will be had to any proposed shop fronts in ACAs;*

*6. The design of the shop front/façade should include the street number of the premises;*

*7. The applicant shall submit proposals for the removal of external signage in the event the unit ceases trading;*

*8. Planning permission is required for the erection of canopies. Canopies of traditional design and retractable materials will be favoured.*

- Paragraph 11.194 Advertising on Buildings

*In general advertising on buildings should conform to the following:*

*1. Be sympathetic in design and colouring both to the building on which they will be displayed and their surroundings;*

*2. The City Council will aim to reduce visual clutter and control the number of signs and advertising that are displayed;*

*3. Shop front advertising should be designed as an integral part of the shop front;*

*4. Not obscure architectural features such as cornices or window openings;*

*5. Illuminated signs or other advertising structures will not be allowed above the eaves or parapet level on buildings in any part of the city*

- Paragraph 11.195 Fascia Signage & Illuminative & Projecting Signs

- 11.202 Architectural Conservation Areas

- Site is within MacCurtain Street Architectural Conservation Area (ACA)

- 28-29 MacCurtain Street is NIAH Reg 20512484 – building of regional architectural special interest. Appraisal - *This building is a notable and positive addition to the streetscape, due to the scale and form of the building. The three-storey scale of many of the nineteenth-century buildings on the south-west end of Mac Curtain street creates continuity and character in this part of the city. Though many interesting features and materials have been*

*replaced, this building retains some timber sash windows, and a moulded render eaves course.*

- No.5 Saint Patricks Quay is a protected structure PS410

## **5.2. Natural Heritage Designations**

None relevant

## **5.3. EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## **5.4. Water Framework Directive Screening**

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because the proposed development would not likely result in significant impacts on surface and / or groundwater water bodies and would not jeopardise any water body reaching its WFD objectives.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The grounds of appeal, submitted by the applicant in relation to the conditions of the permission, are summarised as follows:

- Condition 2 requiring a redesign of the entrance is unreasonable and contrary to the principles contained in the Architectural Heritage Protection Guidelines for Planning Authorities 2011 and should be omitted.
- Condition 2 includes an arbitrary time limit in which works required by the planning authority should be carried out and this is contrary to Development Management Guidelines for Planning Authorities.

- Condition 3 of the decision places time limits on the agreement of details relating to glazing and signage (window display). The applicants are happy to agree such matters with the planning authority but request that the Board revise this condition to state that such agreement be reached prior to the commencement of development, as is standard.
- The permission granted to 5 St. Patrick's Quay (23/41706) which forms a separate entrance to the same establishment owned by client, demonstrates inconsistency in the application of heritage policies by the planning authority. Having requested removal of sliding doors at FI stage as part of that proposal, the planning authority accepted as per their final decision that these doors were optimal from a fire safety perspective and could be retained notwithstanding heritage concerns.
- The planning authority asserts that MacCurtain Street possess a different character to St. Patrick's Quay. However 5 St. Patrick's Quay is located in the same ACA and is designated protected structure thus affording higher level of heritage protection than the subject site – the front at MacCurtain Street.
- The applicant's proposals have sought to achieve a balance between protecting the architectural character of McCurtain Street, while also safeguarding their commercial interests. Submit that the replacement entrance is unwarranted as the typology of entrance being requested by the planning authority was not present at this location prior to their acquisition of the property.
- Request Board omit condition 2 on the grounds that the condition is unwarranted and is considered not to be in accordance with Development Management Guidelines. Condition 2 requesting the comprehensive redesign of the entrance is unreasonable and inconsistent approach from the planning authority with regard to application of built heritage.
- Request Board amend condition 3 to the effect that the time limitations included by the planning authority are removed.

## **6.2. Planning Authority Response**

None received.

## **6.3. Observations**

None received.

## **7.0 Assessment**

7.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal and inspected the site and having regard to relevant policies and guidance, I consider that the main issues in this appeal are as follows:

- Determination of appeal
- Consideration of condition 2
- Consideration of condition 3

## **7.2. Determination of the appeal**

7.3. Under ABP 313470-22 (PA22/40860) permission for the retention of the new signage and new entrance to the existing gaming arcade as constructed including new door installed to replace existing door at MacCurtain Street was refused permission. The proposals were considered to give rise to visual clutter and would injure the visual amenities and character of the streetscape.

7.4. Permission was granted permission under ABP317836-23 (PA23/41706) for alterations and retention of front elevation of 5 Saint Patricks Quay (a protected structure). The permission includes retention of a sliding door in the central arch.

7.5. I note Section 5 R812/23 whereby the Council have issued a declaration to state that the replacement of a former barber shop use with arcade / casino use at 28/28b MacCurtain Street is not development.

7.6. The subject application is an application for permission for new works to alter and upgrade the existing ground floor Victoria Casino shopfront and emergency door to

upper floors at 28 MacCurtain Street. Permission has been granted by the planning authority for the upgrade works subject to condition 2 and condition 3.

- 7.7. Condition 2 requires the applicant to submit within 3 months of the permission, revised drawings for the agreement of the planning authority showing the replacement of the existing sliding entrance doors with recessed access and outward opening doors, unless otherwise agreed and the implementation of the approved access within 6 months of permission, save that a revised timeframe is agreed.
- 7.8. Condition 3 requires the developer to submit within 3 months of the permission, revised details of glazing and signage (window display) for the written agreement of the planning authority and the completion of the works within 6 months.
- 7.8.1. Where an appeal is made against a condition, section 139 of the Planning and Development Act 2000 (as amended) allows the Board to restrict its determination to the condition only and to not carry out a de novo assessment of the proposed development.
- 7.8.2. The planning authority and the first party appellant are satisfied that the proposed development in principle is acceptable. No other observations have been received. I am satisfied that, having regard to the nature of conditions 2 and 3, that the determination by the Board of the application as if it had been paid to it in the first instance would not be warranted.
- 7.8.3. I recommend that the Board use its discretion and give directions relating to the attachment, amendment or removal by the planning authority of condition 2 and 3.
- 7.9. **Consideration of condition 2**
- 7.9.1. Condition 2 requires the replacement of the existing sliding door at the main entrance to the casino with a new recessed access with outward opening doors, unless alternative works are agreed with the planning authority. The condition was attached on foot of the recommendation of the Council's Conservation Officer who considered that that the sliding doors are at odds with the character of this formal historic retail street and would set an unwelcome precedent.
- 7.9.2. The applicant has requested the Board to omit this condition on the grounds including the precedent established by virtue of the grant of permission for the sliding door at no.5 Saint Patricks Quay, that the appearance of it is not injurious to the

visual amenity or historic character of MacCurtain Street, that the sliding door is to be retained as it provides universal access and meets fire safety requirements, and that the wording is not in accordance with the Development Management Guidelines.

- 7.9.3. I note from the photographs on file and from a review of Google streetview that the existing shopfront was put in place after 2019. The 2019 shopfront showed access to Victoria Casino from a recessed door and outward opening doors. The whole shopfront was replaced with a relocated and redesigned sliding door access.
- 7.9.4. The building is a NIAH building of architectural interest and the site is within the MacCurtain Street ACA. The Cork City Council Development Plan 2022-2028 sets out the statement of character, building typology and issues for the MacCurtain Street ACA. MacCurtain Street is stated to have character of formal Victorian street with a mix of building types – ornate polychromatic stone and brick structures from the later 19<sup>th</sup> century interspersed with earlier painted plastered terraced buildings and with a number of distinctive mid 20<sup>th</sup> century buildings along the north side. It states that it is desirable that the existing Victorian structures are retained. It states that the streets of MacCurtain Street and St. Patrick's Quay are distinct and have contrasting character, with St. Patrick's Quay of more modest character. Objective 8.23 refers to development in ACAs.
- 7.9.5. The NIAH lists the building as regional architectural special interest and the description refers to the pair of shopfronts inserted to ground floor, having timber panelled doors, timber fixed windows and timber fascias. The appraisal states the building is a positive addition to the street due to the form and scale of the building and states that though many interesting features and materials have been replaced the building retains some timber sash windows and moulded render eaves course. Objective 8.22 relates to NIAH.
- 7.9.6. Whilst I note that permission has been granted at no.5 Saint Patrick's Quay and that this is a protected structure, I accept and agree with the comments of the Council's Conservation Officer the built character of Saint Patricks Quay is materially different to that of MacCurtain Street. I therefore do not agree that the sliding doors at MacCurtain Street are acceptable just by virtue of the granting of permission for the sliding doors at Saint Patricks Quay. Each proposal must be considered on their individual merits and context.

- 7.9.7. The existing Victoria Casino shopfront is of poor quality design, cluttered signage and non traditional materials presents a poor frontage and adversely impacts on the appearance of the building. The proposal for alterations and upgrades including the removal of the modern tiled finish to the pilasters, introduction of new timber pilasters, new timber door to the emergency access, replacement of existing fascia sign with new sign of steel backlit lettering, the removal of existing electronic advertising signs in the window and repainting in grey-black will all improve the appearance of the shopfront. I note the submitted photomontages show a visual impression of the proposed development. The planning authority requires the re-introduction of a recessed main doorway to the casino. This would require the owner to undertake more extensive alterations. The owner wishes to retain the existing automatic sliding doors. I note that there are a variety of shopfront doorways on the street, ranging from traditional to contemporary including recessed and flush doorways, electronic and non electronic, timber and glass. The size and scale of the main doorway is larger than the existing doorways however is not significantly oversized and in overall terms is broadly proportionate to the rest of the shopfront and building. The flushed doorway in itself is acceptable and is common on other shopfronts, as is glass and electronic doors. The doors were set as open on the day of my site visit. Whilst I do accept that automatic sliding doors may not be common on doorways on this street, I do not consider that this design mechanism in itself is significantly detrimental impact on the overall character and appearance of the building, having regard to the fact that the NIAH states that the building has lost many of its historic features, the current nature and appearance of the building, to its use as a casino and to the variety of shopfronts and doorway types in the area. In light of the overall improvements being proposed, I consider that a condition requiring the reconstruction of the doorway would be not necessary in this instance and that the retention of the existing doorway and automatic sliding doors is acceptable. Overall, the works proposed by the applicant will significantly improve the appearance of the frontage, and that the proposed development will positively impact on the appearance of the building and the historic character of the area and is in accordance with objective 8.23 and 8.22 of the CDP.
- 7.9.8. In relation to fire safety, the applicant has submitted a letter from a Fire Safety Consultant to state that the existing doors conform with Building Regulations. It



states that the provision of inward opening doors across a primary entrance would not be considered good fire safety design. The Conservation Officer's report states that after consultation with the Fire Department of Cork City Council that it is understood that outward opening doors would enable similar existing capacity once the opening is not reduced in width. No report is provided from the Council's Fire Service and as such I accept that the letter submitted from the owner.

7.9.9. In relation to the wording of the condition, I note section 7.3.5 of the Development Management Guidelines which states that conditions should be reasonable. Should the Board decide to retain a condition 2 which requires the applicant to submit new designs for the doorway, I recommend that the wording be amended, so that details to be agreed with the planning authority are submitted/ agreed to prior to commencement of development and that works be carried out in accordance with the agreed details.

7.9.10. It is recommended that condition 2 be removed.

#### **7.10. Consideration of condition 3**

7.10.1. Condition 3 requires the developer to submit revised details of glazing and window signage for the written agreement of the planning authority. The drawings show that existing display screens are to be replaced with fixed advertising signage in the form of frosted / white decals.

7.10.2. Section 11.192 of the CDP sets out guidance with respect to shopfronts at casinos / private members clubs. It states that the external appearance and design of casinos shall not detract from the streetscape and it is recommended that an appropriate shop front with a window display be included in proposals.

7.10.3. The removal of the large electronic signs behind the glazing adversely impacts on the appearance of the shopfront and the removal of these signs is positive. The introduction of new frosted / white decals will present a poor quality and cluttered finish to the glazing. At clarification of FI stage the planning authority recommended that consideration be given to dark tinted glazing. The owners rejected this and pointed to the commercial nature of the business and the use of signage and decals on other facades on the street.

7.10.4. I note that under ABP317836 (Victoria Casino at 5 Saint Patrick's Quay), the Board attached condition 2 stating that all decals and film shall be removed from the glazing and that the glazing shall be dark tinted obscure glazing.

7.10.5. In the interests of protecting visual amenity, I am satisfied that no frosted stickers or advertising stickers should be attached to the front. I recommend that a similar condition be attached to require the removal of the existing display signage and decals and that the existing glazing be replaced with dark tinted obscure glazing.

7.10.6. It is recommended that condition 3 be amended.

## **8.0 AA Screening**

8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act as amended. The subject site is not located within or adjacent to any European site. The closest European site is Cork Harbour SPA located c 3km from the site. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have an appreciable effect on a European site. The reason for this conclusion is as follows:

- The small scale and domestic nature of the development.
- The location of the development in a serviced urban area, the distance to the Natura 2000 site network and the absence of pathways to any European site.

8.2. I consider that the proposed development would not be likely to have a significant effect individually or in-combination with other plans or projects, on a European site and appropriate assessment is therefore not required.

## **9.0 Recommendation**

I recommend that condition number 2 be removed and condition number 3 be amended.

## 10.0 Reasons and Considerations

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to:

**REMOVE condition number 2** for the reason therefore.

**AMEND condition number 3** to the following:

3. The existing electronic advertising display behind on the shopfront glazing shall be removed. All decals and / or films shall be removed on the front façade. No further film and / or decals shall be erected on the front façade. Glazing on the Victoria Casino shopfront shall be dark tinted obscure glazing and shall remain permanently as such for the duration as the premises operates as a casino.

Reason: In the interests of visual amenity.

### Reasons and Considerations

Having regard to the nature of the existing shopfront at the site and in the area, the design of the proposed alterations and upgrades to improve the appearance of the existing shopfront, and the location of the site within an Architectural Conservation Area, it is considered that that the proposal to retain the existing sliding doors would not be significantly detrimental to architectural interest of the building or to the historic character of the area. The proposal to attach fixed advertising and decals to the shopfront glazing would result in visual clutter and this would adversely impact on the appearance of the building and would adversely impact on the visual amenity and character 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.*

---

Aisling Mac Namara  
Planning Inspector

24<sup>th</sup> June 2025

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	322139
<b>Proposed Development Summary</b>	Permission for proposed alterations and upgrades to existing shopfront and signage and alterations to an existing emergency access
<b>Development Address</b>	Victoria Casino, 28 MacCurtain Street, Cork
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	

<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_