



An
Coimisiún
Pleanála

Inspector's Report ACP-323356-25

Development	Change of use from financial services building to funeral home and associated site works
Location	Former Permanent TSB Premises, No. 1 Curraheen Road, Ballinaspig More, Bishopstown, Cork City
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	25/43904
Applicant(s)	Forde Funeral Homes Limited
Type of Application	Planning Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party against the Decision
Appellant(s)	Forde Funeral Homes Limited
Observer(s)	R. Murphy BFW Residents' Association
Date of Site Inspection	7 th November 2025
Inspector	Phillippa Joyce

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1.0 Site Location and Description

- 1.1. The appeal site is located at No. 1 Curraheen Road, Ballinaspig More, Bishopstown, to the southwest of Cork City centre. The site is rectangular in configuration, with an area indicated as measuring 0.29ha. The site was previously a former premises of financial institution, Permanent TSB.
- 1.2. The site comprises a detached building (centrally located), with surface car parking to the front (south), internal access road along the western site boundary, and a service area/ additional surface car parking to the rear (north). The site includes grassed areas with single trees and tree groupings, and hedgerows and/ or walls along the site boundaries. Access to the site is directly from Curraheen Road via a vehicular entrance in the southwestern corner of the site and a pedestrian entrance in the southeastern corner.
- 1.3. The existing building, indicated as dating from the late 1970s, features a distinctive architectural design with a square building footprint, pyramid-hipped roof, two storeys (first floor is a mezzanine level), and red brick external finishes (total floorspace indicated as 382sqm).
- 1.4. There are a mix of uses and building styles in the vicinity of the site. These include detached residential properties to the north (accessed via two separate laneways from Curraheen Road), established residential areas of Firgrove Road to the west and Merlyn Lawn to the east, and a number of commercial properties to the southeast (bookmakers, restaurant) and south on the opposite side of Curraheen Road (petrol station, convenience shop, public house and restaurant).
- 1.5. Approximately 65m to the east of the site entrance is the intersection point of three roads, the Curraheen Road/ Bishopstown Road/ Woodbrook Road junction. Curraheen Road and Woodbrook Road are local tertiary roads (L1016, L5271), Bishopstown Road is a regional road (R849).
- 1.6. At the time of my site inspection, the existing building was vacant, palisade fencing was erected to the front of the site and building, and several cars were parked in the front of the property.

2.0 Proposed Development

- 2.1. The proposed development comprises a change of use of the existing building from financial services to a funeral home with associated funeral services use. The hours of operation are indicated as being between 9.30-20.00 Monday-Friday and 10.00-20.00 at weekends and public holidays, with repose services at 16.00-18.30pm.
- 2.2. The proposal includes both partial demolition and construction works at the existing building and site. The demolition works comprise the demolition of existing internal walls, partitions, and a single storey extension along the northern elevation at ground floor level, and the partial demolition of the mezzanine first floor level. The areas to be demolished are indicated as measuring 14sqm and 51sqm respectively (total floorspace of 65sqm).
- 2.3. At ground floor level, construction works comprise new internal walls, partitions, and single storey extensions to the existing building along the northern and eastern elevations, and a new mezzanine first floor level. The ground floor works provide for two repose areas, toilets, entrance/ exit lobby areas, stairs lobby, office and family room, storage and services areas, and the mezzanine first floor level accommodates meeting and staff rooms, plant/ comms rooms, store and mezzanine/ gallery areas. The ground floor level is indicated as measuring 293sqm, and the mezzanine first floor level as 141sqm (total floorspace as 434sqm). The proposed works increase the floorspace of the building by 52sqm, to a total floor area of 434sqm.
- 2.4. The proposed development comprises several elevational changes to the existing building. Key among which include the new main entrance/ exit on the western elevation, revised secondary entrance/ exit on the southern elevation, revised glazing and louvre ventilation extraction on the western, eastern and southern elevations, and an external canopy on the western and northern elevations.
- 2.5. The proposal includes for the reconfiguration of the existing parking areas, with the provision of an internal circulation route to facilitate a dedicated drop-off area and parking spaces (24 car, 3 motorcycle and 14 bicycle spaces). Vehicular access to the site is maintained from Curraheen Road via an enhanced entrance along the western boundary with segregated vehicular and pedestrian access. A new pedestrian access is provided to the east of the vehicular entrance, and an existing

pedestrian access is maintained from Curraheen Road along the eastern site boundary via an enhanced entrance.

- 2.6. The proposal includes for boundary treatments, hard and soft landscaping, rooftop photovoltaic panel array, signage (building lettering signage and a ground mounted totem-type sign), water services infrastructure including SuDS features, and all other associated site development works.

3.0 Planning Authority Decision

3.1. Summary of Decision

- 3.1.1. The application was lodged to the planning authority on 22nd May 2025. On 16th July 2025, the planning authority issued a Notification of Decision to Refuse Permission for one reason, as follows:

- 1. The site is located in close proximity to the Curraheen Road/ Bishopstown Road/ Woodbrook Road junction, which is a major junction serving two main arteries in and out of the city from the N40. Given the proximity of major institutions in the area such as Munster Technological University and Cork University Hospital, the junction experiences congestion on a daily basis, particularly at peak times.*

Having regard to the site's location adjoining a heavily trafficked road and a major traffic junction where the cross-traffic movements generated by the proposed development would interfere with the safety and free flow of traffic on the road, the proposed development would endanger public safety by reason of traffic hazard. Furthermore, the proposed development would increase the incidence of parking on a major traffic route and close to a major traffic junction and would endanger public safety by reason of obstruction of road users.

The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

- 3.2.1. Planner's Report

The key points from the planner's report include the following:

- Identifies the site is zoned as neighbourhood and local centre, and categorises the proposed use as being a community facility.
- Raises no objection in principle to the proposed change of use.
- Highlights key items from the applicant's documents including the Traffic and Transport Assessment (TTA) such as proposed hours of operation (until 20.00hrs, peak use between 16.00-18.30hrs), frequency of reposing services (one to three per week), traffic management measures (marshalling of vehicles, use of pedestrian accesses).
- Considers that reposing services can generate significant volumes of traffic, typically over short periods of time, generally occur on weekdays, with variance in the number of attendees and the length of stay.
- Refers to the findings of the Traffic: Regulation and Safety section including:
 - trip generation in the TTA is based on traffic using the carpark.
 - trip generation does not account for all traffic generated by a removal service and attracted to the area during a removal service.
 - trip generation is significantly underestimated.
 - the proposal is likely to have a significant effect on traffic during evening peak hours.
 - the additional traffic movements will contribute to further congestion at the major Curraheen Road/ Bishopstown Road/ Woodbrook Road junction.
 - there is a major risk of overspill parking onto Curraheen Road, which is prohibited/ illegal.
 - parking on Curraheen Road will cause a significant road safety hazard as it will restrict sightlines in the area, impose onto the carriageway and cause an obstruction at a major traffic junction.
 - overspill parking is also likely to affect adjoining residential areas such as Firgrove Lawn, Merlyn Lawn and other residential areas and entrances.
- Highlights the site is not located near an existing public or private carpark, where shared car parking could be availed of.

- Dismisses the options of attaching conditions restricting the hours of operation (of reposing/ removal services) and/ or the frequency of use (one reposing room per day/ evening) as being unreasonable and insufficient to offset traffic impacts.
- Raises no objection to the proposed works at the site (signage) and/ or to the building (demolition, extension, elevational changes).
- Considers proposed use not likely to impact on residential amenity, e.g., through overlooking, noise, save for the potential overspill parking.
- Identifies items requiring final details, e.g., hearse parking, queuing areas, landscaping, signage.
- Concludes by endorsing the recommendation of the Traffic: Regulation and Safety section to refuse permission.

3.2.2. Other Technical Reports

Traffic: Regulation and Safety: Recommends permission be refused due to endangerment of public safety associated with cross-traffic movements and increased incidence of parking on Curraheen Road.

Urban Roads and Street Design: Recommends permission be refused due to the creation of traffic congestion and consequent traffic hazard on a local road network with deficient capacity. (Note: this internal report is not referenced in the Planner's Report).

Infrastructure Development: Further Information (FI) requested seeking revised plans indicating site boundary, footpath alignment on Curraheen Road match with most recent proposals for BusConnects (STC F).

Environment: No objection subject to condition.

Drainage Division: No objection subject to condition.

Contributions: No objection subject to condition.

3.3. Prescribed Bodies

Uisce Eireann: No report on case file. (Note: Applicant's Planning Civil Engineering Report provides a pre-connection enquiring form reference number).

3.4. Third Party Observations

- 3.4.1. The planning authority indicates eight third-party submissions were received during the assessment of the application, and summarises the key issues raised in each.
- 3.4.2. I have reviewed the submissions on the case file and confirm several of the issues raised therein continue to form the basis of the observations on the appeal case, which are outlined in detail in Section 6.0 below.

4.0 Planning History

Appeal Site

Planning history at the appeal site dates from 1979 to 2007 and relates to the construction of the former financial building and associated works thereafter (e.g., internal mezzanine floor level, signage, disabled person access).

(I direct the Commission to the applicant's Planning Report (pgs. 4-5), and the planning authority's Planner's Report (pg. 3) for details of the planning history).

5.0 Policy Context

5.1. Cork City Development Plan 2022-2028

- 5.1.1. The applicable development plan for the appeal case is the Cork City Development Plan 2022-2028 (CDP). The CDP contains map-based designations and policy in several chapters which establish the context for the proposed development.
- 5.1.2. The relevant CDP map-based/ mapped designations include:
 - The site is zoned as ZO 08 'Neighbourhood and Local Centres' which seeks *'To protect, provide for or improve local facilities.'* (Vol 2, Map 8: South Western Suburbs).
 - The site is located within Car Parking Zone 3 (Vol 2, Car Parking Zones).
 - The site is located on the northern side of the Bus Connects CBC 7 route on Curraheen Road (Vol 1, Chapter 4, Fig. 4.4).
 - Note: CDP information is to be read in conjunction with the most up to date information on www.busconnects.ie/cork/ (correct as of the date of this

report). The third round of consultation (November 2023) identifies the preferred routes for 11 Sustainable Transport Corridors (STCs).

- Of relevance to the proposed development is STC F: Bishopstown to City, which runs along the southern side of the site (Map 3: Preferred Route Option, pg. 34). The indicative route includes the locations of bus stops and I identify the closest bus stops to the proposed development being c.270m to the east at Bishopcourt Park (on either side of Bishopstown Road). Using Google mapping, I calculate this to be c.4-minute walking time.
- The site is located to the south of the indicative Light Rail Transit (LRT) route (Vol 1, Chapter 4, Fig. 4.7).
 - Note: CDP information is to be read in conjunction with the most up to date information on www.luascork.ie (correct as of the date of this report). The 'Emerging Preferred Route Map' was subject to a period of public consultation (until June 2025). Books 1-4 (April 2025) indicate the route map, including the locations of 24 Luas stops.
 - The appeal site (Book 2: Cork City West Area, Map 24) is equidistant between two Luas stops, Curraheen Road Luas Stop (Map 22, located to the west) and Cork University Hospital Stop (Map 26, located to the east). Using Google mapping, I calculate a separation distance of c.700m (c.10-minute walking time) from the proposed development to both Luas stops.
- The site is not subject to any other architectural heritage designations, landscape protections, strategic linear views, or other environmental designations.

5.1.3. The relevant CDP policy and objectives include:

- Chapter 4 Transport and Mobility
 - Table 4.6: Car Parking Zones, Bishopstown in Zone 3.
 - Policy in Section 4.106 Parking for New Development seeks to direct high trip generating uses to areas that are currently, or will be, served by high frequency transport services, and set out car-free or low car standards in

development areas within an 800m walking catchment area of quality public transport.

- Chapter 7 Economy and Employment
 - Policy in Section 7.91 Neighbourhood and Local Centres states it is essential that these are mixed-use centres incorporating a range of local services.
 - Objective 7.31 Neighbourhood and Local Centres seeks to support, promote and protect Neighbourhood and Local Centres which play an important role in local retailing and provide a range of essential day to day services and facilities. Development proposals should provide for a mix of uses appropriate to the scale of the centre.
- Chapter 11 Placemaking and Managing Development
 - There is no specific policy identifying 'Funeral Homes' as a use class or providing guidance on assessing applications for same.
 - Policy in Section 11.173 Medical-Related Practices

...In assessing applications for medical related practices, the following will be considered (not an exhaustive list):

- 1. Contribution to placemaking and to the 15-minute city and walkable neighbourhood concepts;*
- 2. An audit by the applicant of existing facilities in the vicinity;*
- 3. Impacts on the amenity of the area and privacy of adjacent neighbouring properties;*
- 4. Proximity to public transport;*
- 5. Adequate traffic management, including safe access, parking and drop-off;*
- 6. Traffic generation;*
- 7. Hours of operation;*
- 8. Proposed signage.*

- Policy in Section 11.174 Places of Worship

... The following will be taken into consideration when determining proposals for places of worship including changes of use (not an exhaustive list):

- 1. Contribution to placemaking and to the 15-minute city and walkable neighbourhood concepts;*
 - 2. Proposals must be considered to complement the activities and use of adjoining developments. Proposals should not have a detrimental impact on the amenity of the area;*
 - 3. Proposals will be assessed in the context of the location of the site, ease of access to public transport, services and utility connections and the existing and / or desired level of amenity in the area;*
 - 4. Any additional uses proposed should be made known to the Planning Authority as the likely wider use of the facility is a factor that assists Cork City Council in its assessment of the appropriateness of the location for the desired activity*
- Policy in Section 11.237 Zone 3 identifies as 'urban towns' the locations in Parking Zone 3 and states that Bus Connects Cork is proposed to serve these areas of Cork City, and that parking standards serving this zone will be reduced to reflect the level of public transport services over time.
 - Chapter 12 Land Use Zoning Objectives
 - Policy in Section ZO 8.1 states neighbourhood and local centre development should contribute to sustaining communities and neighbourhoods by fulfilling a local service function, providing a mix of uses and range of services, at an appropriate local scale, to the local population often within a 5- or 10- minute walking distance.
 - Policy in Section ZO 8.2 states that development in neighbourhood and local centres should, in addition to retailing, provide a focus for other uses, including but not limited to local services, community facilities, cultural uses, educational uses, medical and healthcare uses, places of public worship, innovation or enterprise centres and limited retail offices.

- Policy in Section ZO 8.3 states that development in this zone must serve local needs and must demonstrate how the proposal would respect, reflect or contribute to the character and vibrancy of the particular neighbourhood and local centre, commensurate with the nature and scale of the development. Developments must deliver a quality urban environment and public realm with a focus on accessibility and permeability.

5.2. Natural Heritage Designations

- 5.2.1. The appeal site is not located in or immediately adjacent to a European Site, a Natural Heritage Area (NHA) or a proposed NHA (pNHA).
- 5.2.2. The pNHA designations in proximity to the appeal site include:
 - Lee Valley pNHA (000094) is c.1.73km to the northwest.
 - Cork Lough pNHA (001081) is c.2.12km to the northeast.
- 5.2.3. The European site designations in proximity to the appeal site include (measured at closest proximity):
 - Cork Harbour SPA (004030) is c.5.54km to the east.
 - Great Island Channel SAC (001058) is c.13.33km to the east.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. This is a first party appeal against the decision of the planning authority to refuse permission for the proposed development. The appeal grounds include the following issues:

Planning Authority Decision

- Positively notes that the proposal will address the building's vacancy and is compatible with the overall policies and objectives for the neighbourhood and local centre zoning.
- Raises no objection to the change of use in principle.
- Notes a level of noise would be associated with reposings, but that it is unlikely to have a significant impact on established residential amenity.

- Concerns relate only to the traffic implications on the adjoining road network and potential for overspill parking.
- States the FI requested by the Infrastructure Development report relating to BusConnects was provided in the application documentation (refers to Drawing No.: 11323-103 Future Bus Connects Integration).
- Confirms the proposal does not inhibit or restrict the future development of the BusConnects Cork on Curraheen Road.
- Identifies the basis of the refusal reason from the Traffic: Regulation and Safety report as the proposed use generating significant traffic volumes, having a significant effect on traffic during the evening peak hour, contributing to further congestion at Curraheen Road/ Bishopstown Road junction, and resulting in illegal and/ or overspill parking in the vicinity.
- Identifies the basis of the refusal reason from the Urban Road and Street Design report as the significant effect on traffic during evening peak hours and the sub optimum nature of the immediate pedestrian network to the west of the site.
- Opines that the issue of current sub optimum and below minimum width pedestrian network can be addressed by powers available to the planning authority (refers to sections 34(4)(b) and (m) of the Planning and Development Act 2000 as amended).
- Considers that the reason for refusal is unfounded, overly focussed on the potential for overspill parking on Curraheen Road and adjoining residential areas, and should be overturned.

Clarified Description of Funeral Home and associated Funeral Service

- Essential that the Neighbourhood and Local Centre zoning continues to fulfil its role in serving local needs and fostering sustainable, habitable communities.
- Outlines the nature and scale of the proposed use based on current activities and experience (applicant has an existing operation in Carrigaline):

- The diocese in Cork no longer facilitates evening removal services/ processions into churches from funeral homes.
- A reposing service is now held for the deceased at a funeral home, and the deceased remains at the funeral home overnight.
- On days when no reposing is scheduled, activity at the funeral home is minimal and will operate from 09.30 to 18.00 on weekdays, and from 10.00 to 17.30 on weekends and public holidays.
- On days when a reposing is scheduled, initial activity at the funeral home is minimal and will operate from 09.30, and from 10.00 on weekends and public holidays.
- The coffin containing the deceased is transferred to the funeral home at approximately 10.00. From that time until 16:00, close family and friends may attend for private viewings and prayers.
- At approximately 16:00, the immediate family arrives to spend time alone with the deceased prior to the commencement of the public reposing.
- Provides examples of various reposing times in funeral homes in Cork; these typically last 2 hours and take place between 14.00 to 16.00 or 16.00 to 18.00, with other examples lasting between 1-2 hrs occurring up to 21.00.
- Seeks to facilitate up to 50 reposing services per annum, increasing this figure overtime to c.150 per annum.
- Suggests wording for two conditions to address concerns which formed the basis of the refusal reason, as follows:
 1. *The proposed development shall not be open to the public outside the hours of 9.30 to 20.00 Monday to Friday inclusive, nor outside the hours of 10.00 to 20.00 on Saturday, Sunday and public holidays.*

Reason: *In the interest of residential amenity and traffic safety,*

and

 2. *The reposing period associated with proposed development activities shall not be open to extended family and friends to offer their condolences within the hours of 16:00 and 18.00 (the peak traffic flows*

period at the Curraheen Road/ Bishopstown Road/ Woodbrook Road Junction) Monday to Friday inclusive.

Reason: *In the interest of residential amenity and traffic safety.*

Minimal Impact on the Curraheen Road/ Bishopstown Road/ Woodbrook Road Junction

- The TTA submitted with the application demonstrates that the projected trip generation would not have a significant impact, and that the adjacent road network, including the Curraheen Road/ Bishopstown Road/ Woodbrook Road junction, has the capacity to accommodate the proposed development. (Note: the TTA refers the junction as Junction 1, for ease of reference, I propose to use the same reference in this report).
- A 'Technical Note for Providing Supplementary Information on Traffic and Transport Assessment' accompanies the first party appeal (Appendix D). Key findings of which include:
 - There will be no impact on the surrounding traffic network before 16:00, accordingly analysis of the morning peak hour is not required.
 - There is no appropriate land use type within the TRICS database for "Funeral Home Services".
 - The number of car parking spaces provided for the proposed development with some turnover was used to determine the trip generation for the before and after the peak repose hours (i.e., allowance based on 27 trips in, 3 trips out, total 30 trips 16.00-17.00 and 18.00-19.00).
 - A further Sensitivity Test has been undertaken of an additional 100% of the above trip generation to be assessed (i.e., 60 trips). A traffic capacity assessment was undertaken of Junction 1.
 - The results indicate that the junction will still operate within the normal design threshold for the peak period (16.00-22.00) in 2026 and 2042, with a minimal queue (i.e., 0 PCU) and delay (i.e., 11 seconds) for the traffic on Curraheen Road before and after the peak repose hours.

- Anticipated that additional traffic movements in and out of the proposed development will cause a minimal impact on Junction 1.
- Vehicle trip rates within the TRICS database for the land use classified as "Place of Worship" have been used to compare the trip generation for the proposed development.
- Those trip figures are substantially less than the proposed trip generation based on the number of car parking spaces provided for the proposed development.
- Based on the operational times of the proposed development, the peak traffic flows between 16:00 and 22:00 were considered in the TTA.
- Total traffic flows at Junction 1 confirm the peak hour for traffic flows is between 17.00 to 18.00 (1,334 Passenger Car Unit (PCU)).
- Thereafter, traffic flows reduced between 18.00 to 19.00 by 16.5% (to 1,114 PCU), and between 20.00 to 21.00 by 40% (to 799 PCU).
- The estimated trips associated with the proposed development represent a negligible increase in traffic volumes (i.e. 2.2% of peak traffic) on the surrounding road network.
- Due to the proportion of trips and minimal impact, not necessary to undertake any traffic capacity assessment for Junction 1.
- TTA concludes that the projected trip generation will not have a significant impact and that the adjacent road network has the capacity to accommodate the proposed development.
- Incorrect to state that the proposed development will result in a traffic hazard as presented in the reason for refusal.

Cross-Traffic Movements generated by the Proposed Development

- TTA indicates proposed site access junction will operate within the normal design threshold in the peak traffic flows between 16.00 and 22.00 in 2026 and 2042 for the "with" development ("Before" and "After" reposing) scenario with a minimal queue (i.e. 0 PCU) and delay (i.e. 5 seconds) for the traffic on Curraheen Road. Position is reaffirmed in the Technical Note.

- Applicant proposes amending the time of a reposing service from between 16.00 and 18.00 (included in the application documents) to 18.00 and 20.00, so as to be after the peak hour for traffic flow in the road network (i.e., 17.00-18.00).
- Considers the trip generation to the surrounding road networks during the peak hour associated with the proposed development (as amended) would likely be less than that of the permitted development at the site (i.e., financial services).
- Additional traffic movements in and out of the proposed development would cause a negligible impact on Junction 1.
- Cross-traffic movements generated by the proposed development will only cause a minimal impact on the safety and free flow of traffic on Curraheen Road.
- As there are no amendments proposed to the site access nor any new vehicular access onto Curraheen Road the access arrangement for the proposed development should be considered as safe as the existing site.
- Independent Road Safety Audit (RSA) was carried out which indicates that the access arrangement for the site is considered safe. .

Incidence of Parking on a Major Traffic Route And Close to a Major Traffic Junction

- Contests the overly focussed opinion expressed in the Traffic: Regulation and Safety Report comparing the proposed development with other funeral homes where historic overspill parking is a major issue.
- Concerns regarding illegal parking on Curraheen Road and adjoining residential areas is a parking management issue requiring enforcement by relevant statutory bodies.
- Position regarding the issue of overspill is based on pre-Covid/ historical practices and procedures relating to traditional removal services involving a procession to a church in the evening.
- A reposing for the deceased is now held at the funeral home without any transfer of the deceased to a church that evening.

- Site is located in Zone 3 and parking standards serving this zone will be reduced to reflect the level of public transport services over time.
- Site is well served by several existing bus routes with bus stops in close proximity (c.70m, 85m, 150m).
- BusConnects and Luas Cork both include for enhanced footpath upgrades, cycle tracks, tram and bus infrastructure provision along the Curraheen Road.
- Ample opportunities for local residents and persons within a 10-minute catchment area to avail of public transport to reach the proposed funeral home and associated funeral services.
- Parking on double yellow lines is a breach of traffic regulations and Traffic wardens or Gardai can issue fines for such traffic violations.
- The drop-off area and one-way circulation arrangement to be provided will contribute to minimise overspill parking concerns on Curraheen Road.
- The Technical Note presents a summary of additional car parking spaces located within 10 minutes walking distance from the proposed development. Those car parking spaces, although on private land, are not accessed controlled.
- Some local commercial businesses (i.e. Bishopstown Medical, Clady Medical Centre, Credit Union, Stratton House and AIB Bank) are closed before 18.00, thereby avoiding the operational times of any reposing service.

Conclusion

- Proposed development complies with the ZO 08 Neighbourhood and Local Centres zoning for the lands and will enhance both the character and amenity of the area.
- Should the Commission consider it necessary, the applicant is amenable to and supportive of accepting appropriately worded conditions which could be attached to a grant of planning permission.
- Proposed development would be in accordance with the proper planning and sustainable development of the area.

6.2. Planning Authority Response

6.2.1. No response has been received from the planning authority on the appeal.

6.3. **Observations**

6.3.1. Observations have been received from two observers with addresses given at Curraheen Road and Westgate Road in Bishopstown (including one on behalf of residents' associations stated as representing residents in Ballinaspig, Firgrove, Westgate and Bishopscourt areas). The key issues raised include the following:

Planning Context and Policy

- The site is zoned as ZO 08 – Neighbourhood and Local Centres which is intended to provide essential daily services.
- Applicant attempts to stretch this definition to include a funeral home, which is not a daily necessity but an exceptional, infrequent service.
- Proposal is contrary to the Bishopstown & Wilton Area Action Plan 2007 which envisioned Curraheen Road as the heart of Bishopstown Village as it will sterilise this key site.

Land Use Intensity and Compact Growth

- Proposal is a de-intensification of land use (opposite of applicant's submission of efficient use of the site, and reference to the 2024 Sustainable Residential Development and Compact Settlements Guidelines).
- The bank use supported the vibrancy of Bishopstown's local centre, the funeral home use is episodic, low-intensity, and traffic-generating at irregular peaks.
- The site should be used for mixed-use or residential-led development, integrating housing with services and employment.
- The subject property will continue to represent a valuable asset and there are many more appropriate uses for the site.

Demand and Justification

- Disputes applicant's claim of there being a 64% elderly population in the local area to justify proposal.

- Funeral homes already exist within the wider catchment (Wilton, Turners Cross, Ballincollig). Demand has not been established.

Traffic and Transport

- Supports the planning authority's refusal reason due to traffic safety and overspill parking.
- Applicant's TTA is fundamentally flawed due to:
 - TRICS "Place of Worship" proxy – funerals do not operate like church services.
 - Carpark capacity method – funerals can attract 50-150 cars, bogus relying on capacity of car park.
 - Timing assumptions – claim that removals/ repos occur only after 18:00 is unrealistic, families select 16:00-18:00 slots, overlapping with peak traffic.
 - Future transport reliance – any reference to BusConnects and Luas proposals is premature.
- Cannot rely on BusConnects or Luas as potential resolutions to the traffic and parking issues.
- No timeline for the delivery of either project, Luas project is still in the early stage of the public consultation process.
- BusConnects route includes a bus gate less than 5m from the entrance of appeal site which has not been addressed by the applicant (refers Figure 1, BFW Residents' Association observation).
- Majority of the residents of Bishopstown originally came from rural areas. The tradition of large funerals for people from rural areas is strong and many people will travel to attend such funerals in the city area.
- TTA is not representative of the normal situation in the area, but when there is the least traffic in the area all year (refers to the TTA being dated 31st July).

- Local residents are not reassured that the proposed drop-off area and one way circulation within the site will not result in queuing and congestion at the entrance.

Parking and Overspill

- Cannot rely on informal use of nearly private car parking.
- Overspill parking would inevitably spill into Firgrove Lawn, Merlyn Lawn, and other estates.
- Reposing times in other funeral homes are typically 5pm-6pm, coincide with peak evening traffic, and will create severe additional traffic congestion and issues with overspill and illegal parking.
- The other car parks identified for potential use are derisory, being 600m away, an obstacle course to get to, and many are private entities.
- Increased numbers of participants and sympathisers in concentrated periods of time around funeral events will seek parking as near as possible to the proposed funeral home.

Operating Hours and Activity

- No evidence for claims of minimal overlap with peak hours.
- Funerals often occur at lunchtime or before 18:00, evening removals did not stop with Covid.
- Suggested conditions for restricting reposing times would be unenforceable and their need demonstrates the unsuitability of the site.
- Applicant's information on Scheduled Reposing Days appears to be selective to support their argument.
- Observer reviewed available sources and noted of seven reposing services, six took place between 5pm and 6pm.
- Many funerals are very large and overrun the allotted time due to the sheer volume of sympathisers attending.
- The proposed hours of operation in the suggested conditions, both office and other operations such as deliveries, movement of hearses, etc are not clear.

Residential Amenity

- Overspill traffic, illegal parking, and funeral activity at sensitive hours would seriously impact the amenity of surrounding estates.
- Additional traffic coming into an already highly congested area will cause further difficulties for the residents in the area both in terms of traffic movement and parking.

Rebuttal of Planner's Support

- Disputes Planning Officer's finding of use being compatible with the ZO 08 zoning.
- Flawed conclusion due to:
 - Turner's Cross example misapplied – side street, not in a neighbourhood centre.
 - Area Action Plan vision ignored.
 - Evidence of problems – Turner's Cross suffering chronic overspill showing that funeral homes in urban settings cause exactly the problems cited in the refusal reason.
- Zoning compatibility does not mean suitability.

Contact with Emerging Luas Alignment

- Appellant's documentation refers only superficially to a potential Luas stop on Curraheen Road.
- The omission is material due to:
 - Take land from the site frontage – reduce limited car parking spaces.
 - Further exacerbate overspill.
 - Intensify congestion at the junction – as will become a multimodal interchange point.

Misrepresentation of the Road Safety Audit and Safety Issues

- Applicant has misrepresented the findings of the Stage 1 Road Safety Audit (RSA).

- RSA identified three safety problems requiring mitigation including:
 - obstructed visibility exiting the site onto Curraheen Road,
 - potential for wrong-way movements in the internal one-way system, and
 - narrow parking aisle geometry making parking movements potentially hazardous.
- RSA scope too limited, does not consider parking, overspill, Luas alignment.
- For persons arriving by foot, the footpaths in the vicinity of the funeral home are narrow, in poor condition, with limited visibility from the entrance westward on Curraheen Road, and insufficient crossing points.
- Pedestrian and public safety and efficient traffic movement is of concern to the wider community as a whole and should not be compromised in the interests of a single commercial entity.

Conclusion

- Appeal should be dismissed due to public safety, residential amenity, and proper planning and sustainable development.
- Uphold the planning authority refusal of permission.
- Proposed conversion to a funeral home will be highly deleterious, contrary to the public transport objectives for the area, contribute to illegal and inconsiderate parking, and severely impact the free movement of traffic and pedestrians.

7.0 Planning Assessment

7.1. Introduction

7.1.1. Having reviewed the appeal, examined the documentation on the case file including third party observations, inspected the site, and had regard to the relevant policy context, I consider that the main issues in the appeal to be as follows:

- Principle of Development
- Location and Scale

- Impact on the Receiving Area
- Access, Traffic and Transport
- Other Matters

I propose to address each item in turn below.

7.2. Principle of Development

Zoning Objective

- 7.2.1. In the CDP, the appeal site is zoned as ZO 08 'Neighbourhood and Local Centres', the objective of which is 'To protect, provide for or improve local facilities'. Section ZO 8.1 requires that development within the zoning should fulfil a local service function, following from which Section ZO 8.2 identifies uses that are permissible within the zoning.
- 7.2.2. Section ZO 8.2 states these 'should, in addition to retailing, provide a focus for other uses, including but not limited to local services, community facilities, cultural uses, educational uses, medical and healthcare uses, places of public worship, innovation or enterprise centres and limited retail offices'.
- 7.2.3. I note that funeral homes are not identified as a specific use class in the CDP, nor is there any development management guidance in the CDP relating to same. The planning authority categorised the proposed development as a community use and found that the proposed use complied with the ZO 08 zoning objective.
- 7.2.4. Observers strongly dispute the local service nature and function of the proposed use, describing it as 'not a daily necessity but an exceptional, infrequent service'. As discussed in the following subsection, I do not concur with the observers and consider that the funeral home would offer a necessary service to the local community and residents of the neighbourhood.
- 7.2.5. In terms of use class, I consider that the proposed development, a privately operated funeral home, to come more appropriately within the scope of a local service use and, in similarity with planning authority, find the proposed development to comply with the underlying ZO 08 zoning objective as it is providing for local facilities.
- 7.2.6. As outlined in section 5.0 of this report above, in the absence of specific policy guidance for funeral homes, I note that Chapter 11 of the CDP identifies the use

classes of Medical Related Practices (Section 11.173) and Places of Worship (Section 11.174).

- 7.2.7. I consider the potential impact of a proposed funeral home to be akin to those associated with these two use classes. I have had regard to the CDP policy on how to assess applications for these uses and consider it reasonable to employ a similar process in the assessment of the proposed development.
- 7.2.8. The key considerations for these uses include the extent to which the use serves the local community, its contribution to walkable neighbourhoods, impacts on the amenity of the area (adjacent uses, hours of operation, signage) including that of residential amenity, and impacts on traffic (generation, public safety, management and parking) and transport (availability, accessibility).
- 7.2.9. In the interests of clarity for the Commission, should there be any claim of misapplication of CDP policy, I confirm I would apply a similar assessment approach for the proposed development in any event. These considerations also largely align with the appeal grounds and issues raised by observers.
- 7.2.10. Finally, an observation refers to the proposal being contrary to the Bishopstown & Wilton Area Action Plan 2007 (AAP). This AAP has lapsed, has no legal planning standing, and the applicable development plan for the assessment of the appeal case is the CDP.

Conclusion

- 7.2.11. In conclusion, the proposed development is a permissible use class under the zoning ZO 08 'Neighbourhood and Local Centres, thereby complying with CDP Section ZO 8.2, and with the underlying zoning objective which seeks 'To protect, provide for or improve local facilities'.

7.3. Location and Scale

- 7.3.1. Applicable CDP policy for the appeal case requires that new development in neighbourhood and local centres fulfils a local service function, provides a mix of uses and range of services, is at an appropriate local scale, and contributes to the creation of walkable neighbourhoods (Objective 7.31, and policy in Sections 7.91, ZO 8.1 and ZO 8.3).

Location

- 7.3.2. As referred to in the previous subsection, observers submit that the proposed use is not appropriate at this ZO 08 zoned location, which is intended to provide for essential daily services, due to its being an exceptional, infrequent service. The existing bank use, or potential mixed-use or residential use developments are preferred due to their being more vibrant uses as opposed to the proposed episodic, low-intensity use.
- 7.3.3. While I note the observers' concerns, I do not concur with the descriptions of the use as exceptional, infrequent, or episodic. I consider that the funeral home use would serve the local community at necessarily regular intervals. While the site may have development potential for other uses, the applicant has applied for the proposed development which is duly required to be assessed on its own merits.
- 7.3.4. I have undertaken an internet search (correct as of the date of this report) for funeral home operations in the local area. I have also noted the existing operations cited by the planning authority, applicant, and observers. I have not identified any existing funeral homes in the local Bishopstown area. Accordingly, in addition to the proposed use serving a local service function, I consider the proposed development would also provide for a greater mix of uses and range of additional services on offer at this neighbourhood location.
- 7.3.5. CDP policy in ZO 8.1 refers to new development serving the local population within a 5- or 10- minute walking distance, and comparable policy in Sections 11.173 and 11.174 refer to the 15-minute city and walkable neighbourhood concepts. I note the extent of the 5- and 10- minute walking distance catchment areas from the proposed development as mapped in the first party appeal (Planning Report, Figure 1.1, pg. 2) which covers all the ZO 08 zoned lands, extensive ZO 01 residential zoned lands, and some ZO 13 Institutions and Community zoned lands (Cork University Hospital) in the Bishopstown neighbourhood area.
- 7.3.6. From a review of the documentation on the case file, no other additional uses are proposed or any activities likely that would attract members of the public or generate traffic.

Scale

- 7.3.7. With regard to considerations of scale, the proposed funeral home building has a floorspace of 434sqm, which includes a mezzanine level of 141sqm accommodating

ancillary space. The proposed development includes a minor increase in the existing floor area by 52sqm. At ground floor level, the proposed layout includes for two reposeing rooms, one larger than the other, separately enclosed.

- 7.3.8. I consider the proposed quantum of floorspace, layout of building, and extent of the outside curtilage space (canopy area, set down circulation, 27 parking spaces) to be modest in scale. I do not consider that the proposed development would be likely to serve, or indeed likely to only serve, a city-wide or regional catchment area.
- 7.3.9. In respect of intensity of use, the applicant indicates reposeing services would be held at an initial rate of 50 per annum and may increase to 150 per annum. This equates to once a week increasing to three times a week. Again, I consider this scale of use to be relatively modest.
- 7.3.10. I note the planning authority's reference to there being two reposeing rooms (larger room with capacity for 60 persons, smaller for 30 persons). While it is submitted that this could result in two reposeing services held at the same time with concerns for the resultant level of traffic impact, I consider that this may not necessarily be the case. Instead, the proposed layout may be so to offer options for users of the service depending on the number of mourners.
- 7.3.11. On balance, I consider that the locational constraints raised by observers would serve also to dissuade or prohibit the funeral home from operating at an excessive intensity or inappropriate scale (i.e., to only operate at more than the local neighbourhood scale).

Conclusion

- 7.3.12. In conclusion, having regard to the absence of an existing funeral home operation in the neighbourhood, the likelihood of there being a reasonable need for the use to serve the local community, and the location, nature and scale of the proposal, I am satisfied that the proposed development complies with applicable CDP policy which requires new developments in neighbourhood and local centres to supplement the existing mix of uses, provide a range of essential day to day services and facilities, and to be of scale to best and most appropriately meet the needs of the local community.

7.4. Impact on the Receiving Area

- 7.4.1. Applicable CDP policy for the appeal case requires that new development in neighbourhood and local centres contributes to the character and vibrancy of the particular centre and delivers a quality urban environment and public realm with a focus on accessibility and permeability (policy in Section ZO 8.3).
- 7.4.2. Relevant CDP policy (that for assessing commensurate use classes in Sections 11.173 and 11.174) requires considerations of contribution to placemaking (covering the items listed above), being complementary in use with adjoining developments, and extent of impact on amenities of the area. Observers raise concerns relating to several of these considerations.

Placemaking

- 7.4.3. Considerations relating to placemaking include addressing the current vacancy at the site, works to the existing building, proposed signage, the reconfiguration of the curtilage of the site, and boundary treatments.
- 7.4.4. I positively note that the proposal involves bringing a vacant premises back into commercial use to perform a local services function. Establishing a new commercial use at the site will in itself contribute to the vibrancy of the neighbourhood area. At the time of my site inspection, security fencing had been erected at the site's front boundary and around the building. Such measures, albeit temporary, are not considered to positively contribute to the amenities of the area.
- 7.4.5. The proposed development comprises minor building works to the existing structure including demolition of ground and mezzanine level floorspace (65sqm), construction of new ground and mezzanine level floorspace (increasing the existing floorspace by 52sqm). Elevation changes are also proposed including the creation of a new main entrance on the western elevation, revised secondary entrance on the southern elevation, revised glazing and louvre ventilation extraction on the western, eastern and southern elevations, and an external canopy on the western and northern elevations. I find all proposed works to the existing building to be acceptable in terms of design, scale, proportion, fenestration and door openings, and external finishes. These are consistent with and complimentary to those of the existing building.

- 7.4.6. The proposed development includes for signage, of wall mounted lettering (illuminated) on the southern elevation of the building and a ground mounted free-standing sign (double sided, illuminated) to the east of the vehicular entrance.
- 7.4.7. As the lands are zoned for neighbourhood and local centre purposes, and the proposed use is a local service, I consider the extent of signage proposed is reasonable and find same to be acceptable in terms of design, scale, and siting. Notwithstanding, I consider the extent of signage proposed at the building and site to be sufficient and, in the event of a grant of permission, recommend any additional signage be subject of further permission.
- 7.4.8. The proposal includes for the reconfiguration of the existing parking areas, with the provision of an internal circulation route to facilitate a dedicated drop-off area and car and cycle parking spaces. Vehicular access to the site is maintained via an enhanced entrance from Curraheen Road along the western boundary which segregates vehicular and pedestrian access. An additional pedestrian access is maintained to the site via an enhanced pedestrian entrance from Curraheen Road along the eastern site boundary. The reconfiguration and enhanced access arrangements are positively noted and considered to deliver a quality urban environment at the site.
- 7.4.9. The proposed development includes for improved landscaping (hard and soft), planting, paving, and enhanced boundary treatments (refer to landscape architect Dwg. Nos A1-A6). A public lighting scheme is also proposed for the development with lighting indicated along the front boundary with the public realm and to the sides and rear of the building and parking area to the north of the site. The landscaping and lighting proposals are positively noted and considered to contribute to placemaking at the site.
- 7.4.10. In respect of the public lighting, I note that there is no internal report from the planning authority assessing same. To the north of the site are detached residential properties which face the rear of the site and while I note that hedging is proposed along this boundary, I consider it prudent for the planning authority to assess and indicate satisfaction with the public lighting plan by condition (lights are also positioned along the eastern boundary with rear gardens and along the public road).

7.4.11. Overall, while I note that the building is not protected or in an architectural conservation area, I consider the existing building (dating from the later 1970s) to be distinctive in its architectural design and setting (back from the street edge, grassed lawn and trees). I positively note that the proposed works are minor in scale and impact, and the building and site retain their distinctive character.

Adjoining Developments

7.4.12. Existing developments adjoining the appeal site include residential properties to the west, north, and east, and commercial operations to the south, southwest and southeast (petrol station, convenience shop, public house, bookmakers, restaurant).

7.4.13. As outlined previously, I consider the proposed development to be a local services use. Information on the case file indicates that the premises will be conventionally staffed during daytime hours and will not operate at nighttime hours. Noise and lighting are anticipated to be generated but not to excessive levels which would cause adverse impacts on adjoining developments, in particular residences.

7.4.14. The most notable impact on adjoining developments arising from the proposed development is the traffic generation associated with reposing services. While this is discussed in detail in the following subsection, in short, I highlight to the Commission that in the event of permission being granted, I recommend the attachment of a condition restricting reposing services from being undertaken at the site between the hours of 16.00 and 18.00 (4pm and 6pm), Monday to Sunday.

Conclusion

7.4.15. In conclusion, having regard to the reuse of the vacant premises, the design and layout of the components within the proposed development, and the nature of the proposed use, I am satisfied that the proposal complies with applicable CDP policy which requires new developments in neighbourhood and local centres to contribute to placemaking, to complement adjoining developments, and to not adversely impact on amenities of the area. Subject to conditions, the potential for excessive or injurious levels of disturbance to adjoining development including those of adjacent residential properties can be reasonably excluded.

7.5. Access, Traffic and Transport

- 7.5.1. Key issues in the appeal case are those relating to access, traffic (including parking) and transport. These form the basis of the planning authority's refusal reason, comprise the substantive appeal grounds by the first party, and feature strongly in the observations. I propose to address each issue in turn below.
- 7.5.2. Further, relevant CDP policy requires consideration of impacts on traffic (generation, public safety, management and parking) and public transport (availability, accessibility). Applicable CDP policy relates to directing high trip generating activities to locations served by/ to be served by quality public transport and car parking standards based on the site's location and requirements based on availability of public transport (Sections 4.106 and 11.237).

Access

- 7.5.3. The proposed development maintains the existing vehicular access in the southwest corner of the site and the pedestrian access in the southeast corner. Both entrances are enhanced with paving and minor boundary treatments. A new pedestrian access is proposed to the east of the vehicular access. The proposal reconfigures the curtilage area to provide a one-way access route around the building, a set down area (opposite the new main entrance on the building's western elevation), car, motorcycle and cycle parking spaces, and pedestrian crossing points along the route (see Dwg No. 11323-100: Site Layout Plan).
- 7.5.4. A Road Safety Audit (RSA) was submitted with the application. Observers dispute the applicant's position that the RSA found the proposed development to be safe (the RSA highlighted three safety issues) and criticise the scope of the RSA. I have reviewed same and note that the RSA reviewed Rev 7 of the Site Layout, the three safety issues identified were accepted by the design team and addressed accordingly (the lodged Dwg No. 11323-100: Site Layout Plan is Rev 13). I find the methodology applied in the RSA to be acceptable and to comply with industry standards for same (i.e., scope of review is based on site and project specific conditions)). Further, drawings accompanying the application indicate the swept path analysis for 6m long vehicles (achievement of site access (left and right turning) and internal circulation), and roadway marking, signage and achievement of 50m sightlines at the entrance.

- 7.5.5. I have reviewed the planning authority reports, including those of the Traffic: Regulation and Safety and Urban Roads and Street Design sections, and note that no concerns are raised in respect of the safety of the site accesses per se or of internal vehicular, cycle, and pedestrian movements.
- 7.5.6. The Urban Roads and Street Design report does comment on existing conditions on the footpath along Curraheen Road to the west and east of the site. Restrictions identified, and solutions sought, are on lands outside of the applicant's control and in the public realm. In this regard, I concur with the applicant's position in the appeal grounds that these are the responsibility of the planning authority and can be addressed by powers available to the planning authority.
- 7.5.7. The Urban Roads and Street Design report requests the removal of 'pedestrian crossing line marking that is not in accordance with best practice guidance'. From a review of the Site Layout Plan and sightlines drawing this would appear to be at the vehicular entrance. In the interests of clarity, I recommend the matter be addressed by condition with all entrances, pedestrian markings, road signage, kerbing etc complying with the requirements of national guidance, Design Manual for Urban Roads and Streets (DMURS), and as these serve the proposed development and are located on lands under the control of the applicant (i.e., within the blue line boundary) it is therefore reasonable for the applicant to contribute to the provision of same as/ if necessary.
- 7.5.8. Accordingly, I am satisfied that subject to conditions, the site can be safely accessed, and vehicular and pedestrian movements associated with the proposed development can be undertaken safely within the site.

Traffic

- 7.5.9. The case file includes a Traffic and Transport Assessment (TTA) (with the application) outlining the traffic generation associated with the proposed development, and a Technical Note (first party appeal) addressing shortcomings and concerns raised by the planning authority about assumptions in the TTA.

Basis of the Planning Authority Refusal Reason:

- 7.5.10. The reports of the planning authority's Traffic: Regulation and Safety and Urban Roads and Street Design sections found that as the trip generation in the TTA was

based on traffic using the on-site car parking and did not account for all traffic generated by or attracted to the area during a removal service, it was significantly underestimated.

- 7.5.11. The reports continued that the proposal would be likely to have a significant effect on traffic during evening peak hours, add to congestion at the Curraheen Road/ Bishopstown Road/ Woodbrook Road junction, and result in overspill parking onto Curraheen Road and adjoining residential areas. The reports concluded that the proposal would endanger public safety by reason of traffic hazard (due to cross-traffic movements on Curraheen Road and traffic congestion at the junction) and by obstruction of road users (due to overspill parking on Curraheen Road).
- 7.5.12. Observations on the appeal case reiterate the position of the planning authority and focus heavily on the risk of overspill parking to surrounding residential areas, and the adverse impact on residential amenity arising from same.

Contents of the Technical Note:

- 7.5.13. The applicant disputes the conclusions of the planning authority describing these as unfounded and overly focused on parking. The minimal impact of cross-traffic movements generated by the proposal and the capacity and operation of Junction 1 feature as appeal grounds with reference to the contents of the accompanying Technical Note.
- 7.5.14. The Technical Note outlines that: Funeral Home Service is not listed as a land use type in the TRICS database; the full number of on-site parking spaces with some turnover was used as the basis for the trip generation (30 trips); a further sensitivity test has been undertaken allowing a 100% increase in the trip generation (60 trips); the results of the traffic capacity assessment indicate Junction 1 will still operate within the normal design threshold for the peak period in 2026 and 2042; with a minimal queue and delay for the traffic on Curraheen Road before and after the peak repose hours; Place of Worship land use type from the TRICS database was applied; and results were substantially less than the proposed trip generation based on the number of car parking spaces provided on-site.
- 7.5.15. Also cited as an appeal ground by the applicant, with reference to information in the Technical Note, is clarification on the nature of the funeral services and in particular that of repose services. The Technical Note discusses the key findings of the

baseline traffic survey of the road network, inclusive of Junction 1. These are confirmation that peak traffic flows during the day are between 16:00 and 22:00, the peak hour for traffic flows at Junction 1 is between 17.00 to 18.00 (1,334 Passenger Car Unit (PCU)), and thereafter traffic flows reduce between 18.00 to 19.00 by 16.5% (to 1,114 PCU), and between 20.00 to 21.00 by 40% (to 799 PCU).

7.5.16. The applicant states that *'[b]ased on these figures, it is proposed to limit the reposing service to after the network peak noted as between 18:00 and 20:00 (instead of 16:00-18:30 as stated in the original of TTA report) in order to further minimize the traffic impacts due to the proposed development'*. In the Planning Report, the applicant suggests wording for two conditions relating to hours of operation of the proposed development (cited in section 6.0 The Appeal of this report above).

7.5.17. No response has been received from the planning authority on the first party appeal including the new information in the Technical Note.

Considerations:

7.5.18. On review of the range of information on the case file, I concur with the planning authority's concerns regarding the shortcomings in the initial TTA assumptions (i.e., assumption of only 30 trips being generated in the hours before and after the peak time for reposing services (which also coincides with the peak hour for traffic flows of 17.00 to 18.00)).

7.5.19. I consider that the content of the Technical Note has, for the most part, addressed these concerns. This is with regard to applying the additional sensitivity test (with a doubling of the number of trips generated to 60 trips) and analysing the Place of Worship as a land use type. The capacity assessments of these scenarios indicate that Junction 1 would continue to operate within the normal design threshold.

7.5.20. However, I am of the opinion, as held by the planning authority and observers, that reposing services are events which have the potential to attract a large number of people, many travelling by private car. In this regard, while I am satisfied with the methodology used in the Technical Note to substantiate the TTA (a trip generation figure of 60 trips is more realistic), I consider that the further sensitivity test may in some, but not all instances, be an underestimation of the potential trip generation associated with reposing services events.

- 7.5.21. Importantly though, I do not consider the potential underestimation to be one of material significance which would necessitate a refusal of permission for the proposal. Instead, I consider that the traffic generated by the proposed development can be managed by way of condition restricting the times of reposing services events so as to avoid the current peak hours of traffic flows on the adjacent road network.
- 7.5.22. While observers oppose the conditions suggested by the applicant, describing them as unenforceable, I do not agree. I am satisfied that a condition restricting the times of reposing services events is necessary, reasonable and would be enforceable. Such a condition would mitigate for any potential underestimation of traffic generation (as described above), address planning authority concerns (current levels of congestion in the road network, exacerbating congestion at a major junction, and significantly effecting traffic during evening peak hours), and serve as a stopgap until BusConnects and/ or Luas are operational.
- 7.5.23. In the event of permission being granted, I recommend the attachment of a condition restricting reposing services from being undertaken at the site between the hours of 16.00 and 18.00 (4pm and 6pm), Monday to Sunday. Having regard to the examples from other funeral homes in Cork city, the potential times for reposing services events could reasonably be between 14.00-1600 and 18.00-21.00.
- 7.5.24. For the Commission's clarity, I do not consider the first condition suggested by the applicant to be necessary as the general hours of operation do not need to be expressly specified in a condition.

Parking:

- 7.5.25. In respect of parking, the proposal includes on-site car, motorcycle, and cycle parking (24, 3, and 14 spaces respectively). Further, a one-way internal access route with a drop-off area adjacent to the main entrance is proposed. The appeal site is located in Zone 3, and I note the applicable CDP policy allows a reduction in on-site car parking provision in such locations due to the availability of public transport (Sections 4.106 and 11.237). I consider the site to be a highly accessible location, presently served by several bus routes with bus stops in easy access of the site (Figure 2.8, TTA, pg. 9, Figure 2.9, Mobility Management Plan, pg. 11) and also due to be served by both BusConnects and Luas.

- 7.5.26. While observers contend that these public transport options cannot be relied upon and the applicant's so doing is premature, I do not agree. I consider that the delivery of these key infrastructure projects is stated national policy, and the applicable CDP policy allows planned high frequency transport services to be taken into account when determining appropriate locations for high trip generating uses (Section 4.106).
- 7.5.27. As such, I consider the number of parking spaces provided on-site to be more than adequate to cater for day-to-day activities, and sufficient for reposing services when considered in combination with the recommended-restricted times for reposing services, the proposed set-down arrangements, traffic management (marshalling) proposals, alternative options for accessing the site (including public transport, walking, cycling, taxi services, car sharing as outlined in the Mobility Management Plan submitted with the application and reiterated in the Technical Note), and the availability of other locations for parking/ carpark providers in the vicinity of the site (Technical Note, Figure 2.4, pg. 10).
- 7.5.28. While the planning authority's refusal reason includes the potential risk and implication of overspill parking to Curraheen Road, I agree with the applicant's contention that so doing would be illegal requiring enforcement by relevant statutory bodies.
- 7.5.29. While observers are highly critical of the potential for overspill parking to adjoining residential areas and the adverse impact on residential amenity, I note that the planning authority did not cite these issues as part of or as a standalone refusal reason. Similarly, nor do I find these matters to be a reasonable basis for a refusal reason in and of itself for the same reasons (outlined above) as to why I find the on-site parking provision to be acceptable.

Transport

- 7.5.30. The site is presently served by several bus routes, with bus stops at distances of between c.70m and c.150m. Importantly, the proposed development is also due to be served by both BusConnects and Luas. I identify the closest BusConnects bus stops as being c.270m (4-minute walking time) and Luas stops as being c.700m (c.10-minute walking time) from the proposed development (see section 5.0 of this report above). As such, I consider the site to be a highly accessible location with regard to access to and availability of public transport.

- 7.5.31. Applicable CDP policy relates to directing high trip generating activities to locations served by and/ or are planned to be served by quality public transport (within 800m) (Section 4.106). Following from the assessment of traffic generation above, I find that certain reposing service events have the potential to be high trip generating activities.
- 7.5.32. Combined with considerations of accessibility to and availability of public transport (existing and planned), I am satisfied that the proposed development complies with applicable CDP policy and that the appeal site is an appropriate location for the proposal. From a review of the planning authority's assessment (including internal technical reports), I consider that the decision to refuse permission for the proposal did not sufficiently allow for the high degree of access to and availability of public transport (existing and/ or planned) at the site.
- 7.5.33. Issues relating specifically to BusConnects Cork are raised in the appeal case. The report of the Infrastructure Development section states that the BusConnects Cork STC F route along Curraheen Road includes a set-back of the front site boundary for the purpose of providing bus lanes and cycle lanes. The report advises that the current BusConnects Cork proposals have revised this set back compared to previous proposals, and that a slight adjustment to the alignment of the proposed boundary is required to match with the current BusConnects Cork proposals.
- 7.5.34. In the first party appeal, the applicant refers to Drawing No.: 11323-103 Future Bus Connects Integration, submitted with the application, and states that the proposed development does not inhibit or restrict the future development of the BusConnects Cork on the Curraheen Road.
- 7.5.35. I have reviewed the applicant's Dwg No. 11323-103 Future Bus Connects Integration (dated March 2025) and the most recent information publicly available on www.busconnects.ie/cork/ (associated with the third round of public consultation dating from November 2023). The Infrastructure Department report does not specify the date of the 'current BusConnects Cork proposals' or a website that these are available from. The report refers to contacting a planning authority staff member.
- 7.5.36. In the absence of more specific details from the planning authority, I have compared the applicant's drawing and the publicly available BusConnects STC F route information. I do note there appear to be minor differences in the extents indicated

for the BusConnects corridor, existing boundary, and new boundary (possible land acquisition). However, clarity is necessary to ensure a definitive position and revised plans and particulars, as necessary, may be required (e.g., increased scaled drawings, overlay of the route and boundaries).

7.5.37. Related, I note that observers state that the applicant has not adequately addressed the BusConnects alignment issue, there will be changes to the layout of the front of the site, and car parking spaces will be lost. I do not necessarily agree, and I consider the potential site boundary and footpath alignments are likely to be minor in nature and the angled/ staggered design of the parking spaces allows flexibility in their positioning and arrangement.

7.5.38. As such, I recommend that revised plans be provided and agreed with the planning authority. As the BusConnects Cork STC F route has not been finalised and may be subject to future amendment, I recommend the wording of the condition reflects same and that the proposed development would be required to align with the latest proposals for the BusConnects STC F route.

Conclusion

7.5.39. In conclusion, subject to conditions relating to appropriate times for reposing services and agreement on design details for works at the front site boundary along Curraheen Road, I consider that the proposed development would not endanger public safety, create a traffic hazard, or cause undue congestion on the local road network. I am satisfied that the proposal complies with a range of applicable CDP policy seeking to avoid adversely impacting traffic, to reduce car parking provision, and to direct high trip generating uses to appropriate locations served by public transport.

7.6. Other Matters

7.6.1. In respect of other matters, I identify access to services and utilities, environmental assessments, and other planning conditions not previously discussed.

7.6.2. The proposed development seeks to connect into the public water supply system. Separate wastewater and surface water drainage systems are proposed on-site (with several SuDS features), and the proposal seeks to connect and discharge wastewater and surface water into the public combined drainage system. All water

services networks have sufficient capacity to accommodate demands. No issues are raised in the Drainage Section Report in respect of same, and I recommend that standard conditions be attached accordingly.

- 7.6.3. The site is a brownfield suburban location with no evidence of environmental sensitivities. The Glasheen River is the closest watercourse, located c.383m to the south of the site, however there is no direct hydrological connection between the site and any watercourse or surface water body.
- 7.6.4. I note the Environment Section report and recommended conditions. The application is accompanied by preliminary versions of a Construction and Environmental Management Plan and Resource Waste Management Plan. I consider these to be satisfactory, addressing items referred to in the conditions, (e.g., hours of construction, noise, waste management and disposal). I recommend that conditions be attached requiring agreement of final versions with the planning authority.
- 7.6.5. For the Commission's clarity, there appear to have been two reports from the Contribution Section. The planner's report refers to a Contribution Section report dated 27th June 2025 which sought no development contribution. There is a subsequent report dated 11th July 2025 which calculates a development contribution arising from the new additional floorspace of 52sqm. I have reviewed the terms of the planning authority's Development Contribution Scheme 2023-2029 and consider a development contribution would apply to the increased floorspace. I recommend a condition be attached to address.

8.0 Appropriate Assessment

8.1. Screening Determination for Appropriate Assessment

- 8.1.1. In accordance with section 177U(4) of the Planning and Development Act 2000, as amended (2000 Act), and on the basis of objective information, I conclude 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. It is therefore determined that Appropriate Assessment (Stage 2) under section 177V of the 2000 Act is not required.
- 8.1.2. This conclusion is based on:

- Nature, scale and location of the proposed development.
- Qualifying interests and conservation objectives of the European sites.
- Absence of any meaningful pathways to any European site.
- Distances from European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

8.1.3. No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

9.0 Environmental Impact Assessment

9.1. The proposal is of a class of development identified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended (2001 Regulations) for the purposes of Environmental Impact Assessment (EIA). Accordingly, I have undertaken a pre-screening exercise and preliminary examination of the proposed development (see Appendix 1 and Appendix 2 respectively of this report below).

9.2. By taking into account the nature and scale of the proposed development, the location of the site on zoned and serviced lands within an existing built-up area and outside of any sensitive and/ or designated location, the existing pattern of development in the vicinity, the information and reports submitted as part of the application and appeal, and the criteria set out in Schedule 7 of the 2001 Regulations, I have concluded that there is no real likelihood of significant effects on the environment arising from the proposed development, and that the need for an EIA and the submission of an EIAR is not required.

10.0 Water Status Impact Assessment

10.1. Screening Determination for Water Impact Status Assessment

10.1.1. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface water and ground waterbodies in order to

reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

10.1.2. I conclude that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any waterbody in reaching its WFD objectives and consequently can be excluded from further assessment.

10.1.3. This conclusion is based on:

- Nature, scale and location of the proposed development.
- Objective information presented in the case file and from verified sources.
- Absence of/ proximity to closest surface watercourses.
- Lack of any meaningful hydrological connection to any waterbody.
- Use of best practice construction practices during construction phase.

11.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

12.0 Reasons and Considerations

The Commission considers that, subject to conditions, the proposed development would be consistent with the applicable ZO 08 'Neighbourhood and Local Centres' zoning objective and other policies and objectives of the Cork City Development Plan 2022-2028, would be an appropriate use class at this neighbourhood location, would not seriously injure the residential or visual amenities of property in the vicinity, and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No reposing services shall occur at the subject site between the hours of 16.00 and 18.00 (4pm and 6pm), Monday to Sunday.

Reason: In the interests of traffic management and to protect the amenities of the area.

3. Prior to the commencement of development, the applicant shall submit to the planning authority for its written approval revised plan(s) indicating the following:

a) All entrances, roadway/ footpath markings and signage, and kerbing along the site frontage on Curraheen Road (lands within the blue line boundary) shall be designed in accordance with standards specified in the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended.

b) All works shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority.

Reason: In the interests of traffic, pedestrian and cyclist safety.

4. Prior to the commencement of development, the applicant shall submit to the planning authority for its written approval revised plan(s) indicating the site boundary and footpath alignment along Curraheen Road complying with the latest proposals for BusConnects Cork.

Reason: In the interests of clarity and to facilitate the delivery of public infrastructure.

5. Prior to commencement of development, plans and particulars shall be submitted to, and agreed in writing with, the planning authority, setting out how the proposed lighting shall be directed within the subject site, and away from adjacent housing, gardens and roads. The lights shall be directed and cowed to reduce light scatter as far as possible.

Reason: In the interest of residential amenity and traffic safety.

6. The construction of the development shall be managed in accordance with a final Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise, dust, debris management measures, traffic management measures, and off-site disposal of construction waste.

Reason: In the interests of public safety and residential amenity.

7. Prior to the commencement of development, a final Resource Waste Management Plan (RWMP), as set out in the EPA's 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects' (2021), shall be submitted to, and agreed in writing with, the planning authority. The plan shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to

the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

8. No signage, advertising structures, advertisements, security shutters or other projecting elements, including flagpoles, (including that which is exempted development under the Planning and Development Regulations, 2001 as amended), other than those applied for and hereby permitted, shall be erected or displayed at the subject site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and traffic safety.

9. a) The developer shall enter into water and/ or wastewater connection agreement(s) with Uisce Eireann, prior to commencement of development.
- b) All development shall be carried out in compliance with Uisce Eireann codes and practices.

Reason: To provide adequate water and wastewater facilities in the interest of public health.

10. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to

commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.

Phillippa Joyce

Senior Planning Inspector

21st November 2025

Appendix 1: Environmental Impact Assessment – Pre-Screening

1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?	
(“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.	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3.	
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?	
<input 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.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/ exceeds the threshold.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Proceed to Q4.	Class 10(b)(iv) Relevant threshold: - Class 10(b)(iv): urban development in an area greater than 10ha.
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)?	
<input checked="" type="checkbox"/> No	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Environmental Impact Assessment – Preliminary Examination

The Commission 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. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.

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).

Project comprises the change of use of the existing building from financial services to a funeral home with associated funeral services use, construction and demolition works to the building, and associated site works. It does not differ significantly in terms of character or of scale from the surrounding area (i.e., commercial uses in the neighbourhood centre, modest scaled buildings, c. 2 storeys in height).

Project would cause physical changes to the appearance of the site and building during the construction and operation (occupation) phases. However, the former would be temporary in nature and not significant, and the latter are minor in nature and impact being associated with elevational changes, parking layout, boundary treatments. These are within acceptable parameters for the receiving area, a city suburb infill site.

No significant use of natural resources is anticipated. The project would connect into the public water supply system. The project proposes separate wastewater and surface water drainage systems on-site (with several SuDS features). The project would connect and discharge wastewater and surface water into the public combined drainage system. All water services networks have sufficient capacity to accommodate demands.

Construction phase activities would result in the use of potentially harmful materials (including asbestos), and cause noise and dust emissions. These would likely be typical of similar construction sites. Conventional waste produced from construction and operational activities would be managed.

Project would not cause risks to human health through water contamination/ air pollution through the design of the scheme, connection to public water services systems, and scale of commercial activity arising.

<p>Location of development</p> <p>(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 sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>Project is not located in, on, or adjoining any European site, any designated or proposed Natural Heritage Area, or any other listed area of ecological interest or protection.</p> <p>The site accommodates a vacant commercial building with surface car parking areas, and there is no evidence of the presence of any protected habitats, plants, or fauna species. The Glasheen River is the closest watercourse, located c.383m to the south of the site. However, there is no direct hydrological connection between the site and any watercourse or surface water body.</p> <p>There are no landscape designations pertaining to the site. There are no protected structures, architectural conservation area, or archaeological monuments recorded at or adjacent to the site.</p>	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Amelioration of environmental impacts have been incorporated into the project's design.</p> <p>Mitigation measures would include those required by conditions attached in the event of a grant of permission in relation to construction and operation phases (including in respect of restricting reposing operation hours during the PM peak time in the local road network).</p> <p>There are no likely significant effects identified or anticipated in terms of cumulative and/ or transboundary effects.</p>	
<p>Conclusion</p>		
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>	<p>Yes or No</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>	<p>Yes</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>No</p>
<p>There is a real likelihood of significant effects on the environment.</p>	<p>EIAR required.</p>	<p>No</p>

Inspector: _____ Date: _____