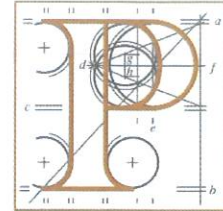


Our Case Number: ABP-310093-21

Planning Authority Reference Number: R648/21



**An
Bord
Pleanála**

Cork City Council
c/o John A Murphy
Anglesea Road
Cork
T12 T997

Date: 15 OCT 2021

Re: Whether the erection of mobile phone antennae at The Address Cork Hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is or is not development or is or is not exempted development.

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned referral under the Planning and Development Acts 2000 to 2020. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

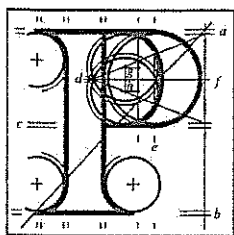
Yours sincerely,


Erica Kearns
Executive Officer

RL100PAN

Teil (01) 858 8100
Glao Áitiúil LoCall 1890 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902



An
Bord
Pleanála

Board Order
ABP-310093-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cork City Council

Planning Register Reference Number: R648/21

WHEREAS a question has arisen as to whether the erection of mobile phone antennae at The Address Cork hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is or is not development or is or is not exempted development;

AND WHEREAS the said question was referred to An Bord Pleanála by Cork City Council on the 21st day of April 2021;

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) Section 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 5 to 11 of the Planning and Development Regulations, 2001, as amended, with particular reference to Articles 6(1) and 9(1)(a)(xii),
- (c) Part 1 of Schedule 2 Exempted Development – General of the Regulations, with particular reference to Class 31(k), and
- (d) the provisions of the Draft Cork City Development Plan 2022-2028,
- (e) the referrer's submission, and

(f) the report of the Inspector;

AND WHEREAS An Bord Pleanála has concluded that the installation of the antennae consists of works to the exterior of a structure that is located within a proposed architectural conservation area in the Draft Cork City Development Plan 2022-2028 and which materially affect the character of the proposed architectural conservation area;

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the erection of mobile phone antennae at The Address Cork Hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is development and is not exempted development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

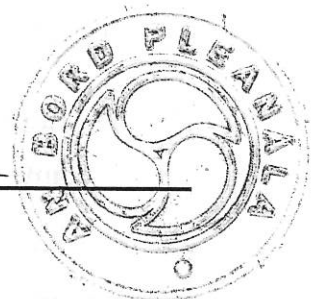


Dave Walsh

Member of An Bord Pleanála

duly authorised to authenticate

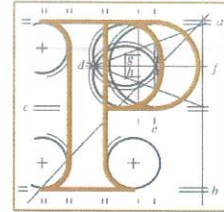
the seal of the Board.



Dated this 15th day of October 2021

Our Case Number: ABP-310093-21

Planning Authority Reference Number: R648/21



An
Bord
Pleanála

Cork City Council
Community, Culture and PlaceMaking,
City Hall,
Cork



Date: 15 OCT 2021

Re: Whether the erection of mobile phone antennae at The Address Cork Hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is or is not development or is or is not exempted development.

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned referral under the Planning and Development Acts 2000 to 2020. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

A further enclosure contains information in relation to challenges by way of judicial review to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

Yours sincerely,


Erica Kearns
Executive Officer

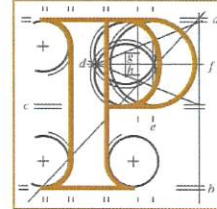
RL100n

Teil (01) 858 8100
Glaó Áitiúil LoCall 1890 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Our Case Number: ABP-310093-21

Planning Authority Reference Number: R648/21



An
Bord
Pleanála

Deborah Murphy
2 Alexandra Terrace,
Millitary Hill,
St. Lukes,
Co. Cork

Date:

Re: Whether the erection of mobile phone antennae at The Address Cork Hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is or is not development or is or is not exempted development.

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned referral under the Planning and Development Acts 2000 to 2020. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

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A further enclosure contains information in relation to challenges by way of judicial review to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

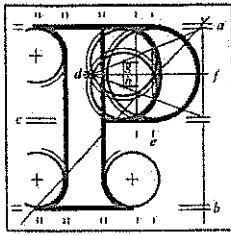
Yours sincerely,

Erica Kearns
Executive Officer

RL100n

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Facs	Fax	(01) 872 2684
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Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



An
Bord
Pleanála

Board Order
ABP-310093-21

Planning and Development Acts 2000 to 2020

Planning Authority: Cork City Council

Planning Register Reference Number: R648/21

WHEREAS a question has arisen as to whether the erection of mobile phone antennae at The Address Cork hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is or is not development or is or is not exempted development;

AND WHEREAS the said question was referred to An Bord Pleanála by Cork City Council on the 21st day of April 2021;

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) Section 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 5 to 11 of the Planning and Development Regulations, 2001, as amended, with particular reference to Articles 6(1) and 9(1)(a)(xii),
- (c) Part 1 of Schedule 2 Exempted Development – General of the Regulations, with particular reference to Class 31(k), and
- (d) the provisions of the Draft Cork City Development Plan 2022-2028,
- (e) the referrer's submission, and

(f) the report of the Inspector;

AND WHEREAS An Bord Pleanála has concluded that the installation of the antennae consists of works to the exterior of a structure that is located within a proposed architectural conservation area in the Draft Cork City Development Plan 2022-2028 and which materially affect the character of the proposed architectural conservation area;

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the erection of mobile phone antennae at The Address Cork Hotel (the former Ambassador Hotel), Military Hill, Saint Luke's, Cork City is development and is not exempted development.

Matters Considered

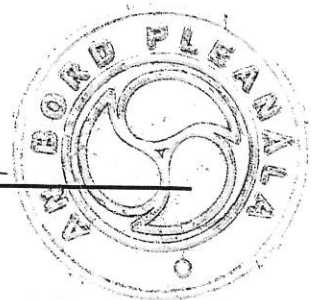
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.



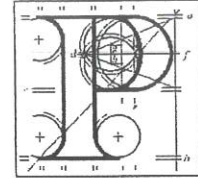
Dave Walsh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 15th day of October 2021



Judicial Review Notice

Judicial review of An Bord Pleanála decisions under the provisions of the Planning and Development Act 2000 (as amended)

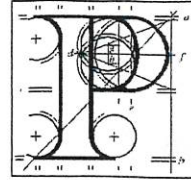
A person wishing to challenge the validity of a Board decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000 (as substituted by section 13 of the Planning and Development (Strategic Infrastructure) Act 2006, as amended/substituted by sections 32 and 33 of the Planning and Development (Amendment) Act 2010 and as amended by sections 20 and 21 of the Environment (Miscellaneous Provisions) Act 2011) contain provisions in relation to challenges to the validity of a decision of the Board.

The validity of a decision taken by the Board may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(6) of the Planning and Development Act 2000 requires that subject to any extension to the time period which may be allowed by the High Court in accordance with subsection 50(8), any application for judicial review must be made within 8 weeks of the decision of the Board. It should be noted that any challenge taken under section 50 may question only the validity of the decision and the Courts do not adjudicate on the merits of the development from the perspectives of the proper planning and sustainable development of the area and/or effects on the environment. Section 50A states that leave for judicial review shall not be granted unless the Court is satisfied that there are substantial grounds for contending that the decision is invalid or ought to be quashed and that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the cost of judicial review proceedings in the High Court relating to specified types of development (including proceedings relating to decisions or actions pursuant to a law of the state that gives effect to the public participation and access to justice provisions of Council Directive 85/337/EEC i.e. the EIA Directive and to the provisions of Directive 2001/12/EC i.e. Directive on the assessment of the effects on the environment of certain plans and programmes). The general provision contained in section 50B is that in such cases each party shall bear its own costs. The Court however may award costs against any party in specified circumstances. There is also provision for the Court to award the costs of proceedings or a portion of such costs to an applicant against a respondent or notice party where relief is obtained to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on the following website,
www.citizensinformation.ie.

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice. Modified 30/11/2011



Fógra faoi Athbhreithniú Breithiúnach

Athbhreithniú breithiúnach ar chinneadh a rinne An Bord Pleanála faoi fhorálacha an Achta um Pleanáil agus Forbairt, 2000 (arna leasú)

Nuair is mian le duine agóid dhlíthiúil a chur in aghaidh cinnidh an Bhoird caithfear é sin a dhéanamh trí athbhreithniú breithiúnach amháin. Tá na forálacha chun agóid dhlíthiúil a chur in aghaidh cinnidh an Bhoird le fáil in ailt 50, 50A agus 50B san Acht um Pleanáil agus Forbairt, 2000 (arna ionadú le hait 13 den Acht um Pleanáil agus Forbairt (Bonneagar Straitéiseach) 2006, le hait 32 agus 33 den Acht um Pleanáil agus Forbairt (leasú), 2010 agus le hait 20 agus 21 den Acht Comhshaoil (Forálacha Ilghnéitheacha), 2011.)

Ní féidir ceistiú a dhéanamh in aghaidh cinnidh an Bhoird ach amháin trí iarratas ar athbhreithniú breithiúnach faoi Ordú 84 de Rialacha na nUaschúirteanna (I.R. Uimhir 15 de 1986). Faoi réir fho-alt 50(6) den Acht um Pleanáil agus Forbairt, 2000 déanfar iarratas ar chead chun iarratas a dhéanamh ar athbhreithniú breithiúnach laistigh den tréimhse 8 seachtain den dáta a rinne an Bord an cinneadh nó laistigh d'aon síneadh ama a cheadaíonn an Ard-Chúirt faoi fho-alt 50(8). Tabhair faoi deara nuair atá athbhreithniú breithiúnach i gceist faoi alt 50 nach féidir ach bailíocht an chinnidh a cheistiú agus ní thugann an Chúirt aon chinneadh faoi fhiúntas na forbartha ó thaobh prionsabail pleanála cuí nó forbairt inchothaithe na háite nó éifeachtaí ar an timpeallacht. Tá sé leagtha síos in alt 50 nach ndéanfar cead d'athbhreithniú breithiúnach muna bhfuil an Chúirt sásta go bhfuil forais shubstantiúla ann chun argóint a dhéanamh go bhfuil an cinneadh neamhbhailí nó gur ceart é a neamhniú agus go bhfuil suim shásúil ag an iarratasóir leis an ábhar i gceist san iarratas nó i gcásanna a bhaineann le measúnacht tionchair timpeallachta gur eagraíocht í an t-iarratasóir a chomhlíonann coinníollacha áirithe.

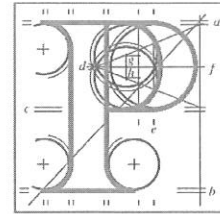
Tá forálacha in alt 50B mar gheall ar chostais maidir le himeachtaí san Ard-Chúirt i dtaobh athbhreithniú breithiúnach i gcásanna áirithe (lena n-áirítear imeachtaí faoi chinntí nó gníomhartha de bhun dlí de chuid an Stáit lena dtugtar éifeacht do na forálacha faoi rannpháirtíocht an phobail agus rochtain ar an gceartas atá leagtha amach i dTreoir 85/337/CEE i.e. an Treoir faoi mheasúnacht tionchair timpeallachta agus na forálacha í dTreoir 2001/42/CE maidir le héifeachtaí pleananna agus clár áirithe ar an timpeallacht a mheasúnú). Is í an fhoráil ghinearálta in imeachtaí lena mbaineann alt 50B ná go n-íocfaidh gach páirtí a chostais féin. Is féidir leis an gCúirt costais a bhronnadh i gcoinne aon pháirtí i gcásanna áirithe. Chomh maith le sin tá forálacha i bhfeidhm ionas gur féidir leis an gCúirt iomlán a chostas nó cuid díobh a bhronnadh ar an iarratasóir, in aghaidh fhreagróra nó fhógrapáirtí i gcásanna ina bhfaightear faoiseamh mar gheall ar gníomhú nó neamhfheidhm an fhreagróra nó an fhógrapáirtí.

Tá eolas ginearálta faoi athbhreithniú breithiúnach le fáil ar an suíomh idirlín www.citizensinformation.ie.

Séanadh: Tá an t-eolas thuas tugtha mar threoirlíne. Ní éilítear gur léirmhíniú dlí faoi na forálacha ábhartha atá ann agus dá mbeadh sé ar intinn ag éinne cás dlí a thógáil in aghaidh an Bhoird bheadh sé inmholta comhairle dlí a fháil ar dtús. Athbhreithnithe 30/11/2011

Our Case Number: ABP-310093-21

Planning Authority Reference Number: R648/21



An
Bord
Pleanála

Cork City Council
Community, Culture & PlaceMaking,
City Hall,
Co. Cork



Date: 25 August 2021

Re: Whether the erection of mobile phone antennae at rear is or is not development and/or is or is not exempted development.

The Address Hotel (Former Ambassador Hotel), Military Road, Cork City.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above appeal.

It is a statutory objective of the Board to ensure that every appeal received is determined within eighteen weeks beginning on the date of receipt of that appeal. This is in accordance with section 126(2)(a) of the Planning and Development Act, 2000, (as amended). Where it appears to the Board that it would not be possible or appropriate to determine a particular appeal within this period, a notice must be sent to the parties in accordance with section 126(3)(a) of the Act.

The Board hereby serves notice under section 126(3)(a) that it will not be possible to determine the case within the statutory objective period due to further consideration of the case. The Board now intends to determine the above appeal before **18th October 2021**.

The Board will take all such steps as are open to it to ensure that the appeal is determined before that date.

Yours faithfully,


Sorcha Skelly
Executive Officer
Direct Line: 01-8737164

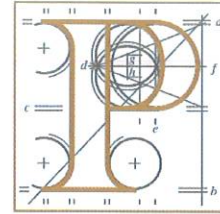
BP90 Registered Post

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Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

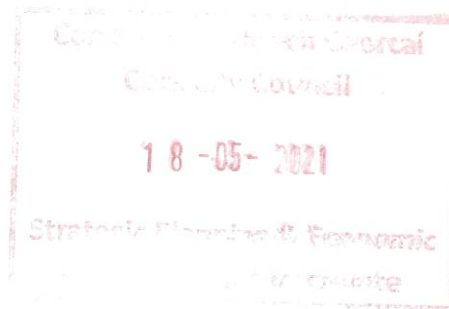
Our Case Number: ABP-310093-21

Planning Authority Reference Number: R648/21



An
Bord
Pleanála

Cork City Council
c/o John A Murphy
Anglesea Road
Cork
Co. Cork
T12 T997



Date: 17 May 2021

Re: Whether the erection of mobile phone antennae at The Address Cork Hotel (former Ambassador Hotel) is development, and if so is it exempted development.
Former Ambassador Hotel, Military Road, Cork City.

Dear Sir / Madam,

The documents requested on the 29th April 2021 in relation to the above-mentioned referral have not yet been received. So that consideration of the referral may proceed, you are requested to furnish the documents forthwith.

Section 128 of the Planning and Development Act, 2000, (as amended), provides that the planning authority shall forward the relevant documents within a **period of 2 weeks** beginning on the day on which a copy of the referral is sent to you. Please disregard this letter if documents have issued previously. Please quote the above appeal reference number in any further correspondence.

Yours faithfully,


Shauna Kelly
Administrative Assistant
Direct Line: 01-8737191

BP09

Teil (01) 858 8100
Glaó Áitiúil LoCall 1890 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
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64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902



Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.
D01V902

Your Ref: ABP-310093-21

13th May 2021

**Re: Section 5 Declaration R648/21
Former Ambassador Hotel, Military Road, Cork City
I would like to request a Section 5/Exemption Declaration in relation to the
erection of a mobile phone antennae to the rear of the property – The Address
Hotel**

Dear Sir/Madam,

I refer to the above appeal and I the Planning Authority wishes to respond as follows:

- (i) N/A
- (ii) Please find attached all correspondence that has taken place between the person(s) issued with a declaration under subsection (2)(a) of section 5 of the 200 Act, (as amended), and the planning authority
- (iii) Name of Owner of land in question:
Brian McGettigan/McGettigan Group
- (iv) Decision due to be issued by Cork City Council 19/04/2021

Yours faithfully,

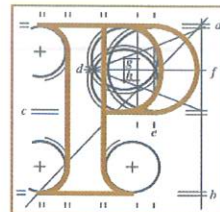
Kerry Bergin
Assistant Staff Officer
Community Culture and Placemaking
Planning Department
Cork City Council



We are Cork.

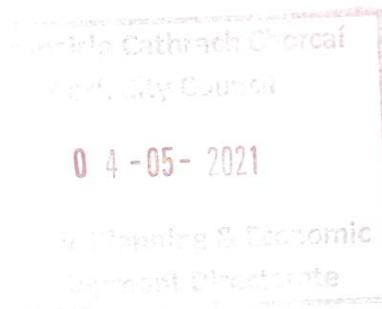
Jur Case Number: ABP-310093-21

Planning Authority Reference Number: R648/21



**An
Bord
Pleanála**

Cork City Council
Community, Culture & PlaceMaking,
City Hall,
Co. Cork



Date: 29 April 2021

Re: Whether the erection of mobile phone antennae at The Address Cork Hotel (former Ambassador Hotel) is development, and if so is it exempted development.
Former Ambassador Hotel, Military Road, Cork City.

Dear Sir / Madam,

An Bord Pleanála has received your referral and will consider it under the Planning and Development Act, 2000, (as amended). A receipt for the fee lodged is enclosed.

In order to comply with section 128 of the Planning and Development Act, 2000, (as amended), please forward, within a period of 2 weeks beginning on the date of this letter, copies of any information in your possession which is relevant to the referral, including:

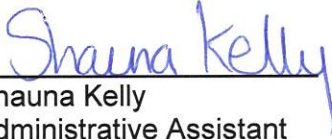
- (i) details of previous decisions affecting the site;
- (ii) any correspondence that has taken place between the person(s) issued with a declaration under subsection (2)(a) of section 5 of the 2000 Act, (as amended), and the planning authority;
- (iii) the name and address of the owner of the land in question and the name of the occupier of the said land, if different;
- (iv) the names and addresses of all persons notified by you under subsection (2) of section 5 of the 2000 Act, (as amended);
- (v) where no declaration was issued by you, indicate the date that the declaration was due to be issued in accordance with subsection (2) of section 5 of the 2000 Act, (as amended).

Teil (01) 858 8100
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Facs (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
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D01 V902 D01 V902

Please note that under section 127(3) of the Planning and Development Act, 2000, (as amended), the person by whom the referral is made shall not be entitled to elaborate in writing upon or make further submissions in writing in relation to the grounds of the referral unless requested to do so by An Bord Pleanála.

Yours faithfully,



Shauna Kelly
Administrative Assistant
Direct Line: 01-8737191

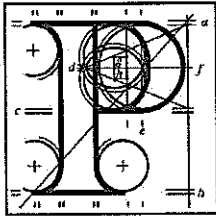
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Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



An
Bord
Pleanála

Táille Reachtúil
Statutory Receipt

Ainm an Chustaiméara: Name of Customer:	Cork City Council
Gníomhaire: Agent:	
Íocaíocht Faighte: Payment Received:	€110
Modh Íocaíochta: Payment Method:	Cheque
Uimh. Aitheantais Lóisteála: Lodgement ID:	LDG-038884-21
Cineál na Lóisteála: Lodgement Type:	Referral
Iarratas ar éisteacht ó bhéal Oral Hearing Request:	No
Dáta Faighte: Date Received:	21/04/2021
Faighte ag: Received by:	Anthony Byrne

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhride
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



CORK CITY COUNCIL
CITY HALL
CORK

26/03/2021 12:57:47

Receipt No. : PLAN3/0/7822107
***** REPRINT *****

R648 21
Deborah Murphy

EXEMPTION CERTS - FEES 58800	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
Deborah Murphy	

Total : 80.00 EUR

Tendered :
Cheque 80.00
000050

Change : 0.00

Issued By : Eoghan Fahy
From : Planning Dept. 3
Vat reg No.0005426M

PLANNING DEPARTMENT

CASHDESK RECEIPT CHECKLIST

Name: Deborah Murphy

Amount: 80.00. TP No.: R648/21.

Description/ Address: The Address Hotel (Former Ambassador), Military Hill, St. Lukes, Co. Wick City.

Business Unit	Description
I4110	Copies of Planning Permission <ul style="list-style-type: none"> • Copies of Planning Decisions • Copies of Final Grant
TI4110 <i>(Transitions Area)</i>	
	<ul style="list-style-type: none"> • General copying • Archive Retrieval • Microfiche

I4114	<ul style="list-style-type: none"> • Application Fees
TI4114 <i>(Transitions Area)</i>	

I4116	<ul style="list-style-type: none"> • Section 5 applications (Exemption Certs) • Extension of Duration Applications • Planning Searches
TI4116 <i>(Transitions Area)</i>	

I4117	<ul style="list-style-type: none"> • Submissions/Objections on Planning Applications
TI4117 <i>(Transitions Area)</i>	

I4118	<ul style="list-style-type: none"> • Recouped Enforcement Expenses
TI4118 <i>(Transitions Area)</i>	

I4121	<ul style="list-style-type: none"> • Section 254 Licence fees (Fingerpost signs)
TI4121 <i>(Transitions Area)</i>	

I4122	<ul style="list-style-type: none"> • SHD Fees (Strategic Housing Developments)
TI4122 <i>(Transitions Area)</i>	

I4124	<ul style="list-style-type: none"> • Planning Bond Letters
TI4124 <i>(Transitions Area)</i>	

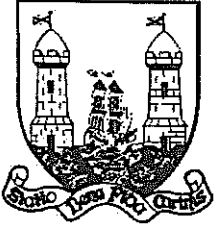
I4100	<ul style="list-style-type: none"> • Outdoor Event Licences
TI4100 <i>(Transitions Area)</i>	

Planning Contributions

TP NO.: R648/21. JDE Account NO.: _____

Amount: 80.00

Signed: [Signature] Date: 23/03/21.



Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

19/04/2021

Re: Section 5 – R648/21 Former Ambassador Hotel, Military Road, Cork City

Dear Sir/ Madam,

Please find enclosed a referral under Section 5(4) of the Planning & Development Act 2000 with a cheque for €110.00

The reference number is R648/21

Question Referred

I would like to request a Section 5/Exemption Declaration in relation to the erection of mobile phone antennae to the rear of the property names above – The Address Hotel. The site location is more prominent to Military Road.

Applicant Details

Deborah Murphy
2 Alaxandra Terrace
Military Hill
St Lukes
Cork

Yours faithfully,

Kerry Bergin
Development Management
Cork City Hall

22-03-2021

**COMHAIRLE CATHRACH CHORCAÍ
CORK CITY COUNCIL**

Community, Culture & Placemaking Directorate,
Cork City Council, City Hall, Anglesea Street, Cork.

R-Phost/E-Mail planning@corkcity.ie
Fón/Tel: 021-4924762
Líonra/Web: www.corkcity.ie

SECTION 5 DECLARATION APPLICATION FORM
under Section 5 of the Planning & Development Acts 2000 (as amended)

1. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION IS SOUGHT

THE ADDRESS HOTEL (FORMER AMBASSADOR), MILITARY HILL
ST LUKE'S, CORK CITY

2. QUESTION/ DECLARATION DETAILS

PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:

Sample Question: Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?

Note: only works listed and described under this section will be assessed under the section 5 declaration.

I WOULD LIKE TO REQUEST A SECTION 5 /
EXEMPTION DECLARATION IN REACTION TO
THE ERECTION OF MOBILE PHONE ANTENNAE
TO THE REAR OF THE PROPERTY NAMED
ADDRESS HOTEL. THE SITE
LOCATION IS MORE PROMINANT TO MILITARY
ROAD.

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:

(Use additional sheets if required).

I HAVE PREVIOUSLY FILED A COMPLAINT IN REACTION
TO THIS WITH CORK CITY COUNCIL + CASE HAS
SINCE BEEN CLOSED AS IT IS DEEMED TO BE
PLANNING EXEMPT. CASE NO. E8270.
I HAVE ATTEMPTED TO DEAL DIRECTLY WITH THE
HOTEL + THE HUTCHINSON GROUP WHO OWN THE
ANTENNAE, BUT BOTH HAVE ~~BEEN~~ NOT BEEN VERY
FORTHCOMING. AS IS EVIDENT FROM PHOTOS SUPPLIED
THE LOCATION OF THE ANTENNAE ARE IN VERY
CLOSE PROXIMITY TO BOTH OURS + NEIGHBOURING RESIDENCE
THE ELEVATION OF THE SITE ON THE HILL ALSO
CONVEYS THAT THE SITE IS PARALLEL + BELOW
OUR HUNG + SLEEPING SPACE. SURELY THERE
IS A MINIMUM DISTANCE / PROXIMITY + HEIGHT

PLEASE SEE
ADDITIONAL INFO
ATTACHED.

SUBJECT TO EXPANDED PLANNING WITH
REGARDS TO ERECTION OF MASTS IN RESIDENTIAL
AREAS.

I HAVE NOTED SIMILAR ANTENNAE AROUND THE
CITY (ON ROOF ON CORK OPERA HOUSE + THE
RIVER LEE HOTEL) AND THESE SITES ARE
BY FAR THE HIGHEST POINTS IN THE
IMMEDIATE AREA + NOT CLOSE TO RESIDENTIAL
PROPERTIES.

THE QUANTITY OF THE ANTENNAE IS ALSO
AN ISSUE. THERE ARE 12 ON THE SITE.

I HAVE RECEIVED ADVICE FROM THE
DEPARTMENT OF ENVIRONMENT, COURTESY,
AN BOIRD PLEANALA + VARIOUS CITY
COUNCILLORS WHO ARE ALL IN AGREEMENT
THAT THESE ANTENNAE SHOULD NOT BE
LOCATED IN SUCH PROXIMITY TO OUR FAMILY
HOME + IN PARTICULAR AN OLD AND HISTORIC
AREA OF THE CITY.

THE SITE IS MOST UNSIGHTLY TO LOOK
AT EVERYDAY + FOR OUR CHILDREN TO PLAY
UNDER. THE VALUE OF OUR PROPERTY HAS
BEEN NEGATIVELY AFFECTED AS CONFIRMED BY
A LOCAL AUCTIONEER, ALL TO THE FINANCIAL
GAIN OF THE ADDRESS HOTEL + THREE
MOBILE PHONE COMPANY.

I TRUST IN THAT MAKING YOUR EXEMPTION
TO SUCH PLANNING YOU ARE TAKING INTO
CONSIDERATION, THE TAX PAYING RESIDENTS OF
THE CITY + NOT JUST THE CORPORATE SECTOR.

3. Are you aware of any enforcement proceedings connected to this site?
If so please supply details:

4. Is this a Protected Structure or within the curtilage of a Protected Structure?
BUILDING OF ARCHITECTURAL INTEREST.
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority?

5. Was there previous relevant planning application/s on this site?
If so please supply details:
PREVIOUS PLANNING APPLICATION APPLIED FOR BUILDING EXTENSION TO REAR, UNDER AMBASSADOR HOTEL.

6. APPLICATION DETAILS

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square meters (sq. M)

(a) Floor area of existing/proposed structure/s	
(b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 st October, 1964, (including those for which planning permission has been obtained)?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas. (sq m) _____
(c) If concerning a change of use of land and / or building(s), please state the following:	
Existing/ previous use (please circle) FLAT ROOF TOP	Proposed/existing use (please circle) NOW PROVIDING SPACE FOR MULTIPLE MOBILE PHONE ANTENNAE
---	---

8. LEGAL INTEREST

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Other <input checked="" type="checkbox"/>
Where legal interest is 'Other', please state your interest in the land/structure in question	NEIGHBOURING RESIDENT TO BUILDING	
If you are not the legal owner, please state the name and address of the owner if available	BRIAN McGETTIGAN / McGETTIGAN GROUP	

9. I / We confirm that the information contained in the application is true and accurate:

Signature: [Signature]
Date: 19th March 2021

- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any person issued with a declaration may on payment to An Bord Pleanála refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
- In the event that no declaration is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a declaration was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations 2001 as amended.

DATA PROTECTION

"Cork City Council is committed to fulfilling its obligations imposed by the Data Protection Acts 1988 to 2018 and the GDPR. Our privacy statement and data protections policy is available at <https://www.corkcity.ie/en/council-services/public-info/gdpr/>.

We request that you read these as they contain important information about how we process personal data.