



An
Bord
Pleanála

Board Direction
PL28.248665

The submissions on this file and the Inspector's report were considered at a Board meeting held on November 6th 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the nature, location and context of the site and surrounding area, the policies and objectives of the Cork City Development Plan 2015 – 2021 and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the development, would be acceptable in terms of traffic and pedestrian safety, residential impact and visual impact. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 28.02.2017 and plans and particulars submitted to An Bord Pleanála on the 21.07.2017, 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. Prior to commencement of any development the following shall be submitted to and agreed in writing with the planning authority.

- (a) Revised floor plans and elevation drawings showing the staff apartment located in Block A increased in size by 6.84 sq. m, to a minimum of 43 sq. m. This shall be achieved by way of moving the northern wall of Block A 1.951 m to the north.
- (b) On foot of (a) revised floor plans and elevation drawings for the first and second floor of Block A. Namely Apartment A104 and Apartment A204 both of which shall be increased similarly to the ground floor staff apartment.
- (c) Capacity and location of a second refuse storage area within the confines of the site to provide for adequate screened communal bin stores.
- (d) Full details including samples of the proposed external finish.

Reason: In the interest of the residential and visual amenity.

3. This permission is for student accommodation as defined in Section 13 (d) of the Residential and Development (Housing) and Residential Tenancies Act 2016 (and ancillary uses, as permitted) only. No permission is granted for any other type of use, and no change of use shall take place – including change of use to other types of residential accommodation – without a prior grant of planning permission from the planning authority or An Bord Pleanála.

Reason: In the interest of orderly development.

4. Prior to commencement of any development the following shall be submitted to and agreed in writing with the planning authority.

- (a) A management plan for the development which details proposals to provide 24 hour on-site management of the units.

Reason: In the interest of the amenities of occupiers of the units and surrounding properties.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority and Irish Water for such works and services.

Reason: In the interest of public health.

6. The construction of the development shall be managed in accordance with a Construction 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

7. (a) Four of the allotted car parking spaces shall be disabled parking spaces.
- (b) Adequate space shall be allocated to cater for the charging of Electric Vehicles (EVs) on the site, as provided by ESB ecars, in line with National Guidelines and the City Development Plan 2015 – 2021.
- (c) The applicant shall agree with the planning authority how the allotted car parking for the development shall be managed and restricted. All costs associated with this condition shall be borne by the developer.

Reason: In the interests of traffic safety.

8. All proposed vehicular and pedestrian access points shall be designed in accordance with the design principles set out in the Design Manual for Urban Roads and Streets (DMURS) to provide pedestrian priority over vehicles. A revised design, showing all vehicular crossovers within the development and upgrades to the access from Rossa Avenue, shall be submitted to the planning authority for agreement in writing prior to commencement of development. The design should include raised crossovers to facilitate wheelchair users. All costs associated with this condition shall be borne by the developer.

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

9. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity

10. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes, for the extent of the new building line, through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any of the apartments.

Reason: In the interests of amenity and public safety.

11. (a) A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

12. That all necessary measures be taken by the contractor, including the provision of wheel wash facilities, to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

13. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Board Member

Date: 06.11.17

Paul Hyde