



An  
Bord  
Pleanála

**Board Direction**  
**BD-009998-22**  
**ABP-310378-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/02/2022.

**REQUEST** received by An Bord Pleanála on the 31<sup>st</sup> day of May 2021 from Montip Horizon Limited under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of the construction of 413 apartments, neighbourhood centre, crèche, road improvement works including upgrades to the Mahon Link Road (R852) to the North of the N40 interchange to incorporate a dedicated bus lane and all site development works at a site at Jacob's Island, Ballinure, Mahon, Cork, the subject of a permission under An Bord Pleanála reference number ABP-301991-18.

**WHEREAS** the Board made a decision to grant permission, subject to 21 conditions, for the above-mentioned development by order dated the 3<sup>rd</sup> day of October 2018 under ABP-301991-18,

**AND WHEREAS** the Board has received a request to alter the terms of the development, the subject of the permission,

**AND WHEREAS** the proposed alterations are described as follows:

1. An increase in the number of units across five blocks of the permitted development is sought from the 413 units permitted to 437.
2. Amendments to Block 4 of the development including:
  - a. An increase in the number of units from 67 to 71.
  - b. The taller element changed from metal clad penthouse to brick clad, following line of the floors below.
  - c. Smaller element of each block remains as metal clad penthouse to top floor, with a simplification of the roof form.
  - d. Bicycle storage numbers amended to reflect unit numbers and revised mix.
3. Amendments to Blocks 7,8 and 9 including:
  - a. The taller element changed from metal clad penthouse to brick clad, following line of the floors below.
  - b. Smaller elements of each block remain as metal clad penthouse to top floor, with a simplification of the roof form.
  - c. Amendments to typical floors for fire lobby & smoke shaft provision.
  - d. Bicycle storage numbers amended to reflect unit numbers and revised mix.
4. Amendments to permitted Block 10 of the development including:
  - a. Introduction of residential units at ground floor level and overall increase in number of apartments from 59 to 69.
  - b. Re-location and reduction in floor area of permitted crèche from 392 sq. m to 338 sq. m.
  - c. Reduction in permitted retail from three units totalling 861 sq. m to a single unit of 595 sq. m.
  - d. Simplification of roof form to metal clad penthouse.

- e. Amendments to landscape layout
- f. Communal outdoor space at ground level to replace permitted Level 01 roof garden.
- g. New external bike store
- h. Block 10 car parking numbers reduced from 86 to 82 spaces.

5. An amendment to Condition 4 of the decision to allow for a seven year period during which the permitted development may be carried out.

**AND WHEREAS** the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would result in a material alteration to the terms of the development, the subject of the permission,

**AND WHEREAS** the Board decided to require the requestor to make available information relating to the request for inspection, and require the requestor to invite submissions or observations,

**AND WHEREAS** having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

**NOW THEREFORE** in accordance with section 146B(3)(b)(ii)(II) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered, in accordance with the plans and particulars received by the Board on the 31<sup>st</sup> day of May 2021, subject to the alteration of condition 4 of ABP-301991-18 as follows:

4. The period during which the development hereby permitted may be carried out shall be seven years from the date of this Order (ABP-301991-18).

Reason: In the interests of proper planning and sustainable 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.

## REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the Strategic Housing Development permitted under An Bord Pleanála Reference Number ABP-301991-18 for this site, which includes the construction of 413 apartments, neighbourhood centre, crèche, road improvement works including upgrades to the Mahon Link Road (R852) to the North of the N40 interchange to incorporate a dedicated bus lane and all site development works,
- (ii) the examination of the environmental impact, including in relation to European sites, carried out in the course of that application;
- (iii) the limited nature, scale and extent of the alterations;
- (iv) the absence of any significant new or additional environmental concerns (including in relation to European sites) arising as a result of the proposed alterations, and
- (v) the report of the Board's Inspector,

it is considered that the proposed alterations to the permitted development would be generally in accordance with the provisions of the Cork City Development Plan 2015-2021, would not be likely to give rise to impacts on the surrounding area that significantly differed from those that were considered before permission was granted and would not injure the character of the permitted development or the level of amenity that it would afford its occupants. The requested alterations would therefore be in keeping with the proper planning and sustainable development of the area.

**NOTE:**

The requestor should note and have regard to the comments received by the Board from the National Transport Authority (dated 8 November 2021) and the Irish Aviation Authority (dated 18 October 2021) and make reference to same in any submissions made to the planning authority with respect to condition numbers 2, 6 and 17 of Board Order ABP-301991-18.

Board Member



Michelle Fagan

Date: 11/02/2022

