

An
Coimisiún
Pleanála

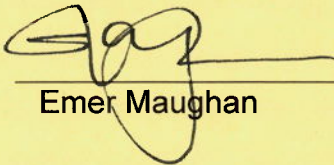
Direction
CD-021112-25
ACP-323011-25

The submissions on this file and the Inspector's report were considered at a meeting held on 30/10/2025.

The Commission decided, in a 2:1 majority decision, to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:


Emer Maughan

Date: 04/11/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the nature, scale and design of the proposed development and the pattern of existing development in the area, the 'R Existing Residential/Mixed Residential and Other Uses' zoning of the site under the Cork County Development Plan 2022-2028 and the objectives of this plan, national planning policy which supports compact growth including the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024, The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2023,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities or the natural environment of the area or of property in the vicinity, would not be prejudicial to public health or traffic safety and would contribute to the compact growth of the settlement. 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 received by the planning authority on 23rd day of May 2025, 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. The development hereby permitted shall only be occupied by Beneficiaries of Temporary Protection as defined under the 2001 EU Temporary Protection Directive or displaced persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4th March 2022 and shall not be used for any other purpose without a prior grant of planning permission

Reason: In the interest of clarity

3. (a) Prior to commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

(b) The development shall not be occupied until the Macroom Wastewater Treatment Plant Upgrade and Macroom Water Treatment Plant Upgrade are complete.

Reason: in the interest of public health and to ensure adequate water/wastewater facilities.

3. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

4. The internal road network serving the proposed development including turning bays, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

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

5. All of the in-curtilage car parking spaces serving the residential units shall be provided with electric connections to allow for the provision of future electric vehicle charging points.

Reason: In the interest of sustainable transportation.

6. Details of cycle storage facilities shall be submitted for the written agreement of the planning authority prior to commencement of development. The details shall include:
 - (a) 50 number safe and secure bicycle parking spaces shall be provided within the site. Provision should be made for a mix of bicycle types including cargo bicycles and individual lockers. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (b) Electric charging points to be provided at an accessible location for charging cycles/scooters/mobility scooters. Details to be submitted to and agreed in writing with the planning authority.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

7. Public lighting shall be provided in accordance with a scheme 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 residential units.

Reason: In the interest of amenity and public safety.

8. All service cables associated with the proposed development, such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

9. Details of the materials, colours and textures of all the external finishes to the proposed buildings and structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

10. Prior to commencement of development, revised drawings and details shall be submitted for the written agreement of the planning authority showing a dedicated refuse storage facility located within the site outlined in red, for the use of the proposed development.

Reason: In the interests of orderly development and proper planning and sustainable development.

11. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) details of all proposed hard surface and/or permeable surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development,

- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings,
- (c) existing trees and hedgerows, specifying which are proposed for retention as features of the site landscaping and the measures to be put in place for the protection of these landscape features during the construction period,
- (d) details of any proposed boundary treatments at the perimeter of the site and at the curtilage of the dwellings, including heights, materials and finishes.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

- 12. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

- 13. (a) A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the

commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

14. Proposals for apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of urban legibility.

15. Prior to commencement of development, the developer shall enter into a legal agreement with the planning authority under Section 47 of the Planning and Development Act 2000, as amended, specifying that:

The lands encompassed by the application site, as outlined in red on the plans and particulars, received by the planning authority shall be held in single ownership with the entire holding outlined in blue.

Reason: To regulate the use of the development in the interests of orderly development and proper planning and sustainable development.

16. 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.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

Note: The Coimisiún considered the inclusion of a condition in relation to Part V of the Planning and Development Act 2000 to be unwarranted and incompatible with the proposed development which is, as described in the statutory notices, for the temporary accommodation of persons seeking international protection. The Coimisiún determined that a grant of permission would be required prior to the occupancy, temporary or otherwise, of the units for persons other than 'Beneficiaries of Temporary Protection' as defined under the 2001 EU Temporary Protection Directive or displaced persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4th March 2022.