

An
Coimisiún
Pleanála

Direction
CD-022160-26
ACP-324056-26

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/05/2026.

Having regard to nature of the conditions to which the appeal relates, the Commission was satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted, and based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to:

AMEND Condition 8, Condition 10, Condition 12, Condition 21, Condition 30, and Condition 38, for the Reasons and Considerations set out below.

Condition 8

The childcare facility shall be constructed within Phase 1 of the phasing plan indicated in 'Proposed Phasing Drawing No. 23161/P/011'. Unless otherwise agreed in writing with the Planning Authority, in consultation with Cork City Childcare, the childcare facility shall be constructed and available for operation prior to the making available for occupation of any residential dwelling within the subject site.

Reason: In the interest of orderly development and to ensure the provision of childcare services.

Condition 10

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The phasing of construction of the development shall proceed as indicated in 'Proposed Phasing Drawing No. 23161/P/011'. The active travel route permitted under ABP Ref No. 310274, shall be completed and operational/usable by members of the public prior to the commencement of construction of Phase 2 or Phase 3 of the development.

Reason: In the interest of orderly development and to support enhanced sustainable mobility.

Condition 12

The phasing of the proposed development shall be carried out in accordance with the phasing plan indicated in 'Proposed Phasing Drawing No. 23161/P/011', except as specified in the conditions of this permission, or as may be otherwise agreed in writing with the planning authority.

Reason: In the interests of clarity and orderly development.

Condition 21

(a) The site shall be landscaped in accordance with the landscaping scheme submitted with the application, as amended by the further information plans and particulars.

(b) The implementation of the landscaping scheme shall align with the phasing plan indicated in 'Proposed Phasing Drawing No. 23161/P/011' except that the northern portion of open space surrounding the active travel route permitted under ABP Ref No. 310274, shall be completed as part of Phase 1 of the development, and both open green spaces which traverse Phase 1 and Phase 2, shall be completed prior to commencement of construction of Phase 3 of the development. The landscaping scheme shall be carried out within the first planting season following the substantial completion of the construction works for each phase.

(c) The planting schedule shall be managed and maintained in accordance with the landscaping scheme submitted with the application, except as specified in the conditions of this permission, or unless otherwise agreed in writing with the planning authority. This schedule shall cover a period of at least three years and any plants

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which die, are removed, or become seriously damaged or diseased within that period shall be replaced within the next planting season with others of similar size and species.

(d) Areas of open space shall be reserved and maintained for such use by the developer until taken in charge by the management company or by the local authority.

Reason: In the interest of residential amenity, and to ensure the satisfactory development of the open space areas and their continued use for this purpose.

Condition 30

The developer shall comply with the following requirements in respect of archaeology:

- (a) The developer shall engage a suitably qualified (licensed eligible) archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, and groundworks.
- (b) Prior to the commencement of such works the archaeologist shall consult with and forward to the Local Authority Archaeologist or the National Monuments Service as appropriate a method statement for written agreement.
- (c) The use of appropriate tools and/ or machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.
- (d) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation (e.g., preservation in-situ or by record).
- (e) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

- (f) Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/ excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

Condition 38

(a) Noise during site clearance and construction shall not exceed 65 dB(A), Leq 30 minutes and the peak noise shall not exceed 75 dB(A), when measured at any point off site.

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

(c) Bored piling as opposed to percussive piling shall be used during site clearance and construction.

Reason: In the interests of residential amenity.

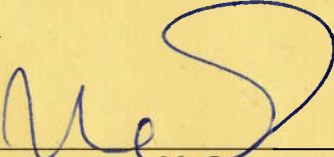
Reasons and Considerations

Having regard to the applicable zoning objectives of ZO 01 'Sustainable Residential Neighbourhoods' and ZO 02 'New Residential Neighbourhoods', the planning history in the vicinity of the site, other policies and objectives relating to active travel and phased development in the Cork City Development Plan 2022-2028, the pedestrian, cyclist and traffic safety and convenience of future residents and members of the public, the observations of Cork Childcare Committee, the guidance on the criteria of planning conditions in the Development Management Guidelines for Planning Authorities, 2007, and the totality of the information on file, it is considered that the

amendments to the conditions above would ensure an appropriate balance between the logistical requirements of the developer, and the amenity of residents in the vicinity and future residents of the development.

Planning

Commissioner:



MaryRose McGovern

Date: 11/05/2026