



An  
Bord  
Pleanála

**Board Order**  
**PL 28.248665**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 16/37034**

**Appeal** by Parchment Square Management Company Limited care of NRG of Main Street, Ballyporeen, County Tipperary against the decision made on the 17<sup>th</sup> day of May, 2017 by Cork City Council to grant subject to conditions a permission to Montesa Limited care of Boyd Barrett Murphy O'Connor of The Studio, Greybrook, Waterfall, County Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of existing warehouse and office building and construction of 63 student apartments (ranging from 2 to 8 bedrooms in each apartment) with common areas at each level and providing 348 student bed spaces in total. The accommodation is divided over 5 apartment blocks of 3, 4, and 5 storeys together with staff accommodation including one number one bedroom staff apartment, reception and management/staff office, recycling/refuse facility, storage, vehicular and pedestrian access, 172 bicycle spaces and 36 car parking spaces in an urban landscaped environment; all at the former O'Mahony Packaging Building, Melbourne Road, Bishopstown, Cork.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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.

## **Reasons and Considerations**

Having regard to the nature, location and context of the site and surrounding area, the policies and objectives of the planning authority as set out in 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 proposed development would be acceptable in terms of traffic and pedestrian safety, and convenience and would not seriously injure the residential and visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed 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<sup>th</sup> day of February, 2017 and by the further plans and particulars received by An Bord Pleanála on the 21<sup>st</sup> day of July, 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 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 square metres, to a minimum of 43 square metres. This shall be achieved by way of moving the northern wall of Block A 1.951 metres 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) details of capacity and location of a second refuse storage area within the confines of the site to provide for adequate screened communal bin stores, and
- (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 Planning 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.

**Reason:** In the interest of orderly development.

4. Prior to commencement of development, a management plan for the development which details proposals to provide 24 hour on-site management of the units shall be submitted to, and agreed in writing with the planning authority.

**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 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 interest of public safety and residential amenity.

7. (1) Four of the allotted car parking spaces shall be disabled parking spaces.
- (2) Adequate space shall be allocated to cater for the charging of Electric Vehicles (EVs) on the site, as provided by ESB ecars, in accordance with National Guidelines and the Cork City Development Plan 2015 – 2021.
- (3) 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 interest 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, and agreed in writing with, the planning authority prior to commencement of development. The design shall include raised crossovers to facilitate wheelchair users. All costs associated with this condition shall be borne by the developer.

**Reason:** In the interest 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 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.

