



An
Bord
Pleanála

Board Order ABP-300846-18

Planning and Development Acts 2000 to 2018

Amendment of Board Order

Planning Authority: Cork County Council

Planning Register Reference Number: 17/37257

Development Concerned: Demolition of the existing two-storey warehouse structure (2,050 square metres); and the construction of a three-storey student accommodation residence (4,956 square metres) providing 161 number bed spaces (33 number four bed clusters, 20 number studios and nine number studios for mobility impaired persons) and ancillary communal facilities. The development will comprise 10 number car park spaces; the repositioning of the existing access slightly to the west and the provision of an additional access to serve the two number mobility impaired spaces; hard and soft landscaping; boundary treatments; bicycle parking; and all other associated site works above and below ground, all on a 0.3707-hectare site at Gillian House, Farranlea Road, Cork.

WHEREAS the Board made a decision to grant permission with conditions, in relation to the above-mentioned development by order dated the 16th day of July, 2018:

AND WHEREAS it has come to the attention of the Board that due to a clerical error, three number conditions were omitted from the Board's Order (Condition numbers 6, 7 and 8):

AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the Board's decision:

WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment:

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision by the insertion of conditions 6, 7 and 8 and the reasons therefor, so that they shall be as follows for the reasons set out:

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 on the 30th day of November, 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. Details of the materials, colour and texture of all external finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. 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.

4. No change of use shall take place from student accommodation to any other type of living accommodation without a prior grant of planning permission.

Reason: In the interest of complying with Objective 6.5 of the Cork City Development Plan 2015-2021.

5. Prior to the commencement of development, details of the form, layout and enclosure of the proposed substation at the site's frontage shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development.

6. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes 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 accommodation.

Reason: In the interests of amenity and public safety.

7. 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 the amenities of the area.

8. 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 Bord 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

9. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of footpath improvements, inclusive of raised pedestrian/vehicular crossovers along Farranlea Road. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

**Dated this day of
2018**