

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 23/42499

APPEAL by Lyonshal Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Cork against the decision made on the 6th day of February, 2024 by Cork City Council to refuse permission.

Proposed Development: Demolition of the former Saint Joseph's Convent to provide for the construction of a 450 bed purpose-built student accommodation development and all ancillary site development works. The proposed development will be provided in three number apartment blocks ranging in height from two to five-storeys including 42 number apartments ranging in size from three to six bedrooms (226 bedspaces) and 224 studio apartments, all served by open space, internal student amenities, bin stores, bike store, ESB substation and roof mounted plant. The proposed development will be accessed from Model Farm Road by a new vehicular/pedestrian access and provides for cycle and car parking spaces at the Former Saint Joseph's Convent, Model Farm Road, Cork.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.


Reasons and Considerations

Having regard to the provisions of the Cork City Development Plan 2022-2028, the proposed development, by reason of the quantity of studio units, the floor area of individual studio units, the limited communal facilities and the location of the communal facilities in Block 1 only, fails to provide a satisfactory standard of residential amenity for the student population and in particular fails to comply with Objective 11.6 (e), (f) and (g) of the Cork City Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The Board did not agree with the Inspector's view with regard to the following:

1. The Board considered that the studio units by virtue of their limited size and layout constitute shared accommodation and noted footnote 3 in section 3.2.1 of the Sustainable Residential and Compact Settlement Guidelines 2024 which state that "When calculating net densities for shared accommodation, such as student housing, four bed spaces shall be the equivalent of one dwelling." The Board calculated a residential density of 141 dph and, therefore, considered that the residential density of the proposed development is within the residential densities for City-Urban Neighbourhoods and City-Suburban/Urban Extension provided for in the Sustainable Residential and Compact Settlement Guidelines 2024.

2. The Board did not agree with the inspector's view that the proposed development failed to comply with the provisions of the Building Height Strategy. The Board considered the Building Height Strategy in Table 11.1 of the Cork City Development Plan 2022-2028 which provides a target height range of two to four storeys for Outer Suburbs (majority of the site) and three to five storeys for Inner Urban Suburbs (minority of the site). Notwithstanding the planning authority had concerns in respect to excessive height of the proposed development, the Board noted they did not refer to any non-compliance with the Building Height Strategy in their refusal reasons. The Board also considered that the heights of the proposed buildings in the context of their finished levels relative to existing buildings in the surrounding area, are not excessive. The Board further noted the applicant's proposals to omit the fifth floor of Block 1 along Model Farm Road and considered this to be appropriate.
3. The Board did not agree with the inspector's view that the proposed development would cause undue overbearance and overshadowing of adjacent properties and considered that the degree of overbearing and overshadowing in this City location was acceptable. The Board further noted the applicant's proposal to amend the eastern elevation of Block 2 from four storeys to three storeys and considered this to be appropriate.



Eamonn James Kelly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this 17th day of June, 2024