

An
Coimisiún
Pleanála

Commission Order
ACP-324029-26

Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: 2544053

Appeal by Keith Cronin and others against the decision made on the 17th day of December, 2025 by Cork City Council to grant, subject to conditions, a permission to Whitestone Corner properties Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for development consisting of a Large Scale Residential Development (LRD) comprising the demolition and removal of the existing building, the construction of three number apartment blocks, ranging in height from 4 to 5 storeys, comprising 114 number apartment units (45 number one-bed, 43 number two-bed, and 26 number three-bed apartments), and ESB substation and all associated site development works including footpaths, cycle paths, car and bicycle parking, open spaces, drainage, fencing, lighting, and the provision of a new footpath, cycle path, and bus stop along Ballyhooly Road. Access to the site will be via a new vehicle access point and three new pedestrian entrance along Ballyhooly

Road. Provision is also made for a pedestrian link to the 'Longview' residential development to the south, all on a site at Ballyhooly Road, Laherdane, Whites Cross, Cork. The proposed development was revised by further public notices received by the planning authority on the 25th day of November 2025, reducing the number of apartments proposed to 111.

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.

Reasons and Considerations

In coming to its decision, the Commission had regard to the following:

- (a) The location of the site within the Ballyvolane Urban Expansion Area and the provisions for this area as a new residential neighbourhood as set out in the Cork City Development Plan 2022-2028;
- (b) the Residential zoning of the site as set out in the Cork City Development Plan 2022-2028;
- (c) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness;
- (d) the provisions of Project Ireland 2040 - National Planning Framework, First Revision (April 2025), which identifies the importance of compact growth;

- (e) the provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031, which supports compact sustainable growth and accelerated housing delivery integrated with enabling infrastructure;
- (f) the provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024;
- (g) the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of Housing, Local Government and Heritage in July 2025;
- (h) the provisions of the Urban Development and Building Height Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in December 2018;
- (i) The provisions of the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2019.
- (j) The Climate Action Plan 2025 issued by the Department of Climate, Energy and the Environment;
- (k) Ireland's 4th National Biodiversity Action Plan 2023–2030, issued by the Department of Housing, Local Government and Heritage in 2024;
- (l) the nature, scale and design of the proposed development;
- (m) the existing and emerging pattern of development in the area;
- (n) the proximity of the site to Cork City Centre;

- (o) the planned infrastructure upgrade works in the area that will improve the sites accessibility and connectivity;
- (p) the submissions received;
- (q) the reports from the planning authority; and
- (r) the report and recommendation of the Planning Inspector.

Appropriate Assessment (AA): Stage 1

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development, the documents submitted with the planning application and appeal including the Appropriate Assessment Screening Report, the Inspector's Report, and the submissions on file. In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that the project would not have a likely significant effect on any European site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) under section 177V of the Planning and Development Act 2000, as amended, is not required.

This conclusion is based on:

- (a) Objective information presented in the Appropriate Assessment Screening Report.
- (b) Qualifying interests and conservation objectives of the European sites.
- (c) The distances separating the Site from European sites.
- (d) The lack of direct hydrological connection.

(e) The localised nature of the proposed works.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

Environmental Impact Assessment Screening:

The Commission completed an Environmental Impact Assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report and other documents and drawings submitted by the applicant identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) the criteria set out in Schedule 7, in particular:
 - (i) the nature, scale and location of the proposed housing development,
 - (ii) the absence of any significant environmental sensitivity in the vicinity, and
 - (iii) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended);
- (b) the results of other relevant assessments of the effects on the environment submitted by the applicant and the results of the Strategic Environmental Assessment of the Cork City Development Plan 2022-2028 (as varied) under the SEA Directive; and

- (c) the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including those identified in the Construction Environmental Management Plan, Construction and Demolition Waste Management Plan and Ecological Impact Assessment.

the Commission considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report is not required

Conclusions on Proper Planning and Sustainable Development:

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable density of development in this urban location, would not seriously injure the residential or visual amenities of the area or properties in the vicinity, would be acceptable in terms of layout, urban design, height and unit mix and would be acceptable in terms of traffic, pedestrian safety and convenience.

The proposed development would be in accordance with the relevant provisions of the Cork City Development Plan 2022-2028, save for the provisions of the plan relating density (Table 11.2) and Dwelling Unit Size Mix (Objective 11.2 and Table 11.8) where a material contravention can be considered to arise.

Nevertheless, having regard to the quality of the proposed scheme, to the relevant provisions of the Compact Settlement Guidelines 2024 and Apartment Guidelines 2025, specifically SPPR 1, and having regard to the urgent need for housing supply to facilitate increased population growth and compact growth in accordance with the National Planning Framework First

Revision (April 2025), it is considered that, having regard to the provisions of 37(2)(a) of the Planning and Development Act 2000 (as amended), the proposed development would be in accordance with the proper planning and sustainable development of the area, and that a grant of permission is therefore warranted in this instance, notwithstanding the above. The proposed development would be consistent with the Climate Action Plan 2025 and the Climate Action and Low Carbon Development (Amendment) Act 2021, and 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 the 20th day of November 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. Tree felling and clearing of vegetation shall take place outside of bird nesting season, beginning 1st of March to 31st of August.

Reason: To protect nesting birds and other wildlife.

3. This grant of permission is for 111 apartments.

Reason: In the interest of clarity

4. The mitigation measures contained in the submitted Ecological Impact Assessment (EclA), shall be fully implemented, except as may be otherwise required or specified by way of planning condition.

Reason: In the interests of clarity, environmental protection and the proper planning and sustainable development of the area.

5. Details of the materials, colours and textures of all external finishes to the proposed dwellings, ancillary structures and hard landscaping 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.

6. The shared pedestrian/ cycle path running along the frontage of the site (labelled 'Future Footpath/ Cyclepath' on Drawing Number 1183.PL.160-Site Layout Plan Rev. K) shall be constructed/ delivered by the developer as part of this development. The final geometric layout of the proposed shared cycle/pedestrian facility and the main entrance junction shall be finalised in consultation with, and agreed in writing with the planning authority, prior to commencement of development. All costs associated with the condition to be borne by the developer.

Reason: To ensure the safe operation of the road network for all users.

7. Full details of the pedestrian link / walkway (including tie-in details) between the subject development and the adjoining Longview estate shall be submitted for the written agreement of the planning authority. This pedestrian link / walkway shall be constructed up to the site boundary to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended.

Reason: In the interest of permeability and proper planning and sustainable development.

8. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

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

9. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Upon completion, the developer shall submit a SuDS Assessment Report based on the as-constructed development. this report shall include drainage layouts, drawings, details, calculations and confirm the discharge rate from the development.

Reason: In the interest of public health.

10. 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 interests of visual and residential amenity.

11. 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 the commencement of development.

Reason: In the interest of amenity and public safety.

12. The internal road network serving the proposed development including turning bays, junctions, 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.

13. Prior to the occupation of the development, a final Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by residents/occupants/staff employed in the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

14. (a) No parking spaces shall be reserved for either an individual or an individual residential unit.
- (b) No additional barriers or gates are permitted to control access to any parking spaces without specific planning permission permitting such interventions.

Reason: In the interests of orderly development, to ensure equitable access to sustainable transport options.

15. All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

16. Proposals for an estate name, apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

17. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

18. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

19. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures and measures to reflect mitigation described in the submitted Ecological Impact Assessment. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

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

20. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development

21. 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 for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment

22. The landscaping masterplan (Drawing Number 202407/SLD/P01), as submitted to the planning authority on the 20th day of November 2025 shall be implemented before any of the units are made available for occupation. 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 [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

23. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

24. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

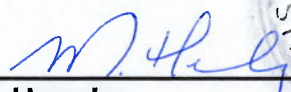
Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

25. 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 and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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 and maintenance of the development until taken in charge

26. 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.



Mary Henchy

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this 6th day of May 2026