

An
Coimisiún
Pleanála

Commission Order
ACP-324056-26

Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: 25/44140

Appeal by Bridgewater Homes Limited against the decision made on the 29th day of January, 2026 by Cork City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Large-Scale Residential Development (LRD) comprising the construction of 246 number residential units and a creche located to the east of and connected to the Waterfall Heights residential development which was permitted by An Coimisiún Pleanála under appeal reference number ABP-310274-21 and is currently under construction. The proposed LRD comprises 143 number dwellinghouses (comprising a mix of two, three, and four-bed semi-detached and townhouse/terraced units) and 103 number duplex/apartment units (comprising 25 number one, two and three-bed duplex/apartment units and 78 number one and two-bed apartments in three number blocks ranging in height from four to five storeys with basement/undercroft parking), a 747-square-metre creche and all associated ancillary development works, including vehicular, cycle and pedestrian access, drainage (including the re-routing of an existing wayleave), landscaping, amenity and open space/play areas, footpaths and cycle lanes, boundary treatments, bicycle and car parking, bin and bike storage, public

lighting and all other ancillary development. There are vehicular, cycle and pedestrian connections to the Waterfall Heights residential development (including two vehicular connection points connecting on to the Waterfall Road via the Waterfall Heights development), a pedestrian/cycle connection to the north (onto an existing footpath/cycle way), and provision for future vehicular, cycle and pedestrian access points to the adjoining lands to the south and east of the proposed development, all at Waterfall Road, Ardarostig (Townland), Bishopstown, Cork.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Commission is 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, as amended, to AMEND condition numbers 8, 10, 12, 21, 30 and 38 so that they shall be as follows for the reasons set out.

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.

10. 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 appeal reference number ABP-310274-21 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.

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 interest of clarity and orderly development.

21. (a) The site shall be landscaped in accordance with the landscaping scheme submitted with the planning 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-310274-21 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 planning 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 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 planning 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.

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 commencement of such works, the archaeologist shall consult with and forward to the planning 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.

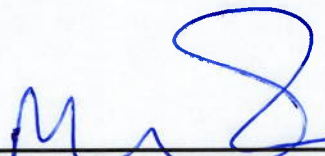
- 38. (a) Noise during site clearance and construction shall not exceed 65 dB(A), Leq 30 minutes and the peak noise shall not exceed 75 dB(A), when measured at any point off site.
- (b) Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays, and not at all on Sundays or public holidays. Deviation from these times shall 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 interest 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 proposed development.



MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 12th day of May 2026.