



Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: T.P. 25/43729

Appeal by Michael Donovan against the decision made on the 1st day of October, 2025 by Cork City Council to grant, subject to conditions, a permission, to Denis O'Brien Developments (Cork) Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) The demolition of a minimal number of internal walls, minor internal alterations, and minor elevational changes to the vacant two-storey Bishopstown House, and a change of use from its former medical/health services use to (a) one number student house (Unit 22) accessed through the existing entrance door at ground floor level on the northern elevation, with a dining/living room and kitchen at ground floor level and seven number bedspaces at first floor level, and (b) a communal reception, student study hub, and ancillary spaces, all at ground floor level, accessed through one number new door and two number existing doors at ground floor level on the southern elevation; (2) the demolition of the existing two-storey office building to the rear of Bishopstown House; (3) the construction of a student housing scheme of 21 number student houses (Units 1-21) (163 number bedspaces) in two number buildings (Block A and B), including one number three storey building (Block A) which will consist of a

terrace of 11 number student houses (Units 11-21) (11 number seven bedspace houses), and one number part two-storey, part three-storey building (Block B) which will consist of a terrace of 10 number student houses (Units 1-10) (two number five bedspace houses and eight number seven bedspace houses). The proposed development will consist of 170 number student bedspaces in total; (4) the demolition and replacement of the existing front site boundary wall and two number piers with a new retaining wall with railing and new footpath; (5) new entrance gate including pedestrian gate, (6) demolition and replacement of external steps to the west of Bishopstown House with new external steps, and a raised path and ramp to the rear of Bishopstown House; (7) 85 number cycle spaces (one number enclosed bike store and two number covered bike stores) and five number car parking spaces, including one number disabled space and one number EV space; and (8) bin store and all site development, landscaping, boundary treatment, lighting, signage, and drainage works, all at Bishopstown House, Model Farm Road, Cork. The proposed development consists of or comprises the carrying out of works to a Protected Structure (Bishopstown House, Reference Number PS948). As amended by the further public notices received by the planning authority on the 4th day of September, 2025.

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

The Commission considers that, subject to compliance with the conditions set out below, the proposed development would be consistent with the applicable ZO 1 'Sustainable Residential Neighbourhoods' zoning objective and other policies and objectives of the Cork City Development Plan 2022-2028, would be an appropriate form of residential use at this location, would not adversely affect the character or the setting of the protected structure, would not seriously injure the residential or visual amenities of property in the vicinity, and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission noted that the proposed development comprising 160 student bedspaces has a density of 75 units per hectare (based on the guidance in the Compact Settlements Guidelines that four bedspaces shall be the equivalent of one dwelling for student housing) which on a literal reading of Table 11.2 of the Cork City Development Plan 2022-2028 could be considered to materially contravene the density range specified for the 'Outer Suburbs'. The Commission calculated the Floor Area Ratio of the proposed development as 0.87 (based on the total floor area divided by the site area) and noted that this was within the target range specified in Table 11.2 for the outer suburbs of 0.2-1.5, and noted also that the proposed height was within the building height standards for the Outer Suburbs as set out in Table 11.1 of the development plan. Furthermore, the Commission noted that the proposed development is well within the density parameters of 50-150 units per hectare for a 'City – Suburban/Urban Extension' accessible location as set out in the Sustainable Residential Development and Compact Settlement Guidelines 2024, and noted that it is a stated policy and objective of the Guidelines that the recommended density ranges set out therein are applied within statutory

development plans 'and in the consideration of individual planning applications'. Therefore, having regard to the overall objectives and standards set out in the development plan in relation to purpose built student accommodation, the quality of the proposed scheme, the relevant provisions of the Compact Settlement Guidelines 2024 on density, noting the clear, reasoned assessment of the overall scheme by the planning authority and, having considered also case specific matters such as building height, layout and design, overlooking, overbearance, amenity of adjoining properties, transport and services capacity, it is concluded that while the proposed density of 75 units per hectare materially contravenes the density range specified in Table 11.2 of the development plan, all other aspects of the development accord with the provisions of the plan and are in accordance with the proper planning and sustainable development of the area, and as such permission should be granted.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars received by the planning authority on the 15th day of August 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. The development shall be used for student accommodation or accommodation related to a Higher Education Institute. The development may be used for tourist/visitor accommodation only during academic holiday periods and shall not be used for the purposes of permanent residential accommodation, or as a hotel, hostel, apart-hotel or similar use, without a prior grant of permission.

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

3. The development shall be implemented as follows:

- (a) The student accommodation scheme shall be operated and managed in accordance with the provisions of the Student Accommodation Management Plan submitted with the planning application (by an on-site management team operating on a 24-hour, full-time basis).

- (b) House Units and/or bedrooms within each House Unit shall not be amalgamated or combined.

Reason: In the interest of the amenities of occupiers of the units and surrounding properties.

4. Prior to the commencement of development on the protected structure, the applicant shall submit, for the written agreement of the planning authority, a full architectural and photographic survey of all elements of the structure proposed for demolition, partial demolition, retention, restoration, blocking-up or any other such intervention, and drawings (of an appropriate scale of not less than 1:50 (unless otherwise specified by the planning authority)) and photographs indicating details of same.

Reason: To facilitate the preservation by record and/ or recording of the architectural heritage of the site.

5. Prior to the commencement of development on the protected structure, the applicant shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:
- (a) a full specification, including details of materials and methods of works, to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,
 - (b) methodology for the recording and/or retention of concealed features or fabric exposed during the works,
 - (c) details of features to be temporarily removed/ relocated during construction works and their final re-instatement,
 - (d) details of features to be protected in-situ protection during the construction works,
 - (e) materials/features of architectural interest to be salvaged, and
 - (f) details of the openings between rooms GF03 and GF04 and GF05 and GF06 indicating the retention of wall nibs and suitable downstands. Details to be accompanied by drawings of an appropriate scale of not less than 1:50 (unless otherwise specified by the planning authority).

Reason: In the interest of the protection of architectural heritage.

6. Prior to the commencement of development on the protected structure, the applicant shall submit for the written agreement of the planning authority confirmation that:

- (a) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and
- (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

Reason: In the interest of the protection of architectural heritage.

7. (a) Prior to the commencement of development, the applicant shall submit for the written agreement of the planning authority, details, specifications and/or samples of all external materials (including those of windows, doors, and pipework) proposed for the protected structure, new buildings (house units, stores), boundary treatments, and a maintenance strategy for same.
- (b) No uPVC/PVC material shall be used on/in the exterior of the protected structure.
- (c) All works shall be carried out in accordance with the written agreement.

Reason: In the interests of the protection of architectural heritage and visual amenity.

8. (a) Prior to commencement of development, the applicant shall submit for the written agreement of the planning authority, proposals for a development name and numbering scheme and associated signage. Thereafter, all such name and numbering shall be provided in accordance with the agreed scheme.
- (b) The development 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(s) of the development shall be erected until the applicant has obtained the planning authority's written agreement for the proposed name(s).

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

9. Prior to the commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's 'Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects' (2021) shall be prepared and submitted to the planning authority for its written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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.

10. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to the planning authority for its written agreement. This plan shall provide details of the construction practice for the development including, inter alia:
- (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,
 - (b) location of areas for construction site offices and staff facilities,
 - (c) details of site security fencing and hoarding,
 - (d) details of on-site car parking facilities for site workers during the course of construction,
 - (e) details of traffic management during construction,
 - (f) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
 - (g) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
 - (h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
 - (i) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,

- (j) off-site disposal of construction/ demolition waste and details of how it is proposed to manage excavated soil,
- (k) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains,
- (l) a record of daily checks that the works are being undertaken in accordance with the CEMP shall be kept for inspection by the planning authority.

The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interests of residential amenities, public health and safety.

11. Prior to the commencement of development, the applicant shall submit to the planning authority for its written agreement, proposals, measures, and/or revised plan(s) as relevant, indicating the following:

- (a) The final geometric design for the proposed entrance and its interface with Model Farm Road. The final geometric design shall allow for the delivery of a dedicated signalised pedestrian crossing and measures to prevent unauthorised parking on the southern side of Model Farm Road.
- (b) The set back area to the northern part of the site, pending the delivery of BusConnects infrastructure, shall not be used for parking and the developer shall implement suitable measures to prevent same.

(c) The redesign/repositioning of Bicycle Store C in an alternative location to avoid adverse impact on adjacent house units.

(d) The redesign of Bicycle Stores A and B as a covered design. All works shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority.

Reason: In the interests of traffic, pedestrian and cyclist safety, and of the amenities of occupiers of the units and surrounding properties.

12. Prior to the occupation of any of the student accommodation, pedestrian connectivity along the southern boundary of Model Farm Road connecting the proposed development site with the Parklea Court to the east shall be in place.

Reason: In the interest of orderly development and support enhanced sustainable mobility.

13. 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.

Reason: To safeguard the amenities of property in the vicinity.

14. (a) No signage is permitted on the exterior elevations and/or within doors and windows of Bishopstown House.
- (b) No signage, advertising structures, advertisements, security shutters or other projecting elements, including flagpoles, (including that which is exempted development under the Planning and Development Regulations, 2001 as amended), other than those applied for and hereby permitted (subject to Condition 14(a) above), shall be erected or displayed at the subject site unless authorised by a further grant of planning permission.

Reason: In the interests of the protection of architectural heritage, visual amenity and traffic safety.

15. (a) The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

- (b) All development shall be carried out in compliance with Uisce Éireann codes and practices.

Reason: To provide adequate water and wastewater facilities in the interest of public health.

16. 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 and surface water management.

17. The site shall be landscaped in accordance with the landscape scheme submitted with the planning application, unless otherwise agreed in writing with the planning authority. The landscape scheme shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within three years of planting shall be replaced in the first planting season thereafter. This landscaping scheme shall be completed before any of the student accommodation units are made available for occupation unless otherwise agreed in writing with the planning authority.

Reason: In order to ensure the satisfactory maintenance of the open space areas and their continued use for this purpose.

18. The mitigation measures and recommendations for ecological enhancement contained in the submitted Ecological Impact Assessment Report, shall be implemented.

Reason: To protect the environment.

19. The following requirements shall be complied with:

(a) The developer shall engage the services of a qualified arborist as an Arboricultural Consultant for the entire period of works.

(b) The Arboricultural Consultant shall ensure the implementation of all recommendations in respect of tree removal, retention, protection, pruning, and other measures included in the Tree Survey and Arboricultural Report, tree plans and particulars.

(c) Any tree felling, surgery and remedial works shall be undertaken in accordance with applicable BS standards or equivalent standards, supervised by and to the satisfaction of the Arboricultural Consultant.

- (d) The developer shall facilitate the work of the Arboricultural Consultant in implementing the measures in the Tree Survey and Arboricultural Report and bear the costs of same.

Reason: In the interests of arboricultural and environmental protection.

20. Public lighting shall be provided in accordance with a scheme which shall be submitted to the planning authority for written agreement prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any student accommodation unit.

Reason: In the interests of pedestrian and traffic safety.

21. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual amenity and of the amenities of occupiers of the units.

22. 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.

23. (a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to the planning authority for written agreement, not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.
- (b) The OWMP shall provide for screened communal bin stores, the locations and designs of which shall be as indicated in the plans and particulars lodged within the application unless otherwise agreed in writing with the planning authority. Bin stores shall not be stored on the public footpath.

Reason: In the interest of the amenities of occupiers of the units, and to ensure the provision of adequate refuse storage for the proposed development.

24. 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 and/ or management company 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.

25. 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.

26. The developer shall pay a financial contribution to the planning authority as a special contribution under section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of a pedestrian footpath on Model Farm Road which benefits the proposed development. 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 Coimisiún Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of the development, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.

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

Mary Gurrie

Mary Gurrie

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this *05* day of *March* 2026