



An  
Bord  
Pleanála

## Record of Meeting

**ABP-312211-21**

<b>Case Reference / Description</b>	ABP-312211-21 - Demolition of existing structures, construction of 222 no. student bedspace accommodation and associated site works. The Former Top Car Garage, Victoria Cross Road, Orchard Road, Bishopstown, Co. Cork.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	5 <sup>th</sup> April 2022	<b>Start Time</b>	2:00pm
<b>Location</b>	Remotely via Microsoft teams.	<b>End Time</b>	3.30pm
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	David Behan

### Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
David Behan, Executive Officer

### Representing Prospective Applicant:

Seamus Kelleher, Applicant
Padraig Kelleher, Applicant
Paul Butler, Butler Cammoranesi
Terry O'Neill, JODA
David Murphy, MHL
Cathal O'Meara, Landscape Architect
Tom Halley, McCutcheon Halley
Cora Savage, McCutcheon Halley
Gemma Glenn, McCutcheon Halley
Brian Murphy, MHL

## **Representing Planning Authority**

Simon Lyons, Executive Engineer
Gillian O'Sullivan, Senior Executive Engineer
Martin Ryan, Executive Planner
Tony Duggan, City Architect
Liam Casey, Parks Superintendent

### **Introduction**

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public once the Opinion has issued,
- ABP received a submission from the PA on, 19<sup>th</sup> January 2022, providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- The consultation meeting will not involve a merits-based assessment of the proposed development,
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted require further consideration and/or amendment in order to constitute a reasonable basis for an application.
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines where relevant,
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings.

The ABP representatives acknowledged the letter dated, 15th December 2021 formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

### **Agenda**

- 1. Land Use and Development Strategy, including mass and scale of development and nature of proposed development**
- 2. Landscape Preservation Zone and proposed amenity route**
- 3. Access and Transport**
- 4. Residential amenity**
- 5. AOB**

## **1. Land Use and Development Strategy, including mass and scale of development and nature of proposed development**

### **ABP Comments:**

- The prospective applicant was requested to outline the development strategy and elaborate on how the scheme would sit on the site, addressing the concerns raised in the PA Opinion.
- Regard was had to the decision of the Board on the adjoining site to the south in relation to building height.
- Prospective applicant was advised that the submitted drawings and photomontages lacked a sufficient level of detail.
- The prospective applicant was requested to address compliance with the City Development Plan in respect of building heights.
- The relationship with adjoining permitted development to the south was queried.
- The planning authority was asked to clarify their position regarding the level of PBSA provision at this location.
- The prospective application to include a supply and demand study to show need for student accommodation.

### **Prospective Applicant's Comments:**

- The proposed development is ideally located for student accommodation and within walking distance of UCC.
- This location is well served by existing public transport infrastructure and will be served by BRT on its delivery.
- A building setback on the western boundary has been provided to facilitate future public transport provision.
- The same architect as the adjoining development to the south has been engaged.
- Proposed development provides 97 number apartments, consisting of studio and cluster apartments, to suit student living requirements.
- Building height steps from 6 to 8 storeys, and back to 6 storeys, with the upper floor setback. A roof garden is under consideration.
- The development is lower than permitted PBSA development to the north at the Crow's Nest and Kelleher's Tyre site.
- Similar to the adjoining site to the south, the 10m setback for the Glasheen River walkway and the building set-back to Wilton Road sets a frame for the development and provides for a wedge form to the block.
- On its eastern side, the block is cantilevered over the river walkway.
- A chamfered edge abuts Orchard Road, with a blind gable at the upper floors.
- Attention has been given to the façade, which is suited to the surrounding area.
- The relationship with the adjoining permitted development provides for connectivity along the riverside walk and facilitates maintenance / service access.
- The stepped height mediates heights to the permitted development to the north.
- The eastern elevation responds to the dwelling to the east, with a set-back at upper floors.
- The design provides active frontage to Wilton Road, with windows providing variation of rhythm.
- The development is independent of but relates to the adjacent permitted development.

- The proposal corresponds to other buildings in the area
- Deficiencies in submitted drawings and photomontages will be addressed and submissions will be further developed at application stage.
- The 2015 City Plan is not very specific in relation to building heights.
- The proposed heights are justified by the location on a public transport corridor and the design including building set-backs.
- An initial daylight and sunlight assessment has been submitted
- A material contravention statement is likely to be required in relation to building height.
- Impacts on protected views have been assessed.
- It is not intended that there would be any dead space along the boundary with the adjoining permitted development. This will be reviewed.
- The application will demonstrate how the two courtyards will operate together, effectively as one. Some modifications at ground floor level may be required.

#### **Planning Authority's Comments:**

- The redevelopment of this site is welcome, albeit with some concerns as set out in their submission, regarding height, density massing and impacts on adjoining developments, and overshadowing and light amenity.
- The character of this area is changing and there are significant numbers of completed / permitted student bed spaces in the area.
- Technical reports regarding sunlight / daylight impacts on adjoining properties are not available.
- A visual impact assessment in winter months will be important and a series of sequential views / photomontage, from Wilson Road should be provided.
- Acknowledge that the location is appropriate for PBSA, however, the lands are zoned for residential use and PBSA is a specialist tenure.
- An assessment of the supply and demand of PBSA in the city is required.
- The management plan will be an important aspect of the development.

## **2. Landscape Preservation Zone and proposed amenity route**

#### **ABP Comments:**

- Clarification sought from the prospective applicants on the design of the proposed amenity route and details regarding public access thereto.
- The operation of the route and the distinction between public and communal open space was queried.
- Clarification was sought on the treatment and relationship with the Irish Water sewer.
- The prospective applicant to examine wayleave zones

#### **Prospective Applicant's Comments:**

- The layout of development will provide for a connection through to the adjoining site to the south, with access from Orchard Road.
- The delineation and relationship between the route and the semi-private / communal amenity space will be reviewed.
- The adjoining application was required to set-aside the lands for delivery of the walkway by the City Council.
- PA will take ownership of river walkway.

- Connection to south of scheme will allow for consistent delivery. The walkway ends at the third-party lane to the south.
- The walkway will provide for a hard edge / pedestrian-cycle route along the river which is consistent with the adjoining permitted development.
- Irish water have instructed that no construction take place within 5 metres of sewer. There may be slight encroachment into this zone.
- The scheme provides for a cantilever building over wayleave

#### **Planning Authority's Comments:**

- A 10m set-back from the river is required and the appropriate soft treatment of the riverbank. Access along the river is required.
- The provision of hard engineering along the river is not appropriate
- Further meetings will take place with prospective applicant on the matter of pedestrian and cyclist amenity.
- Requirement for Irish Water to sign-off of works along the wayleave.
- The prospective applicants should seek clarification regarding the acceptability of the proposed cantilever design over the wayleave.

### **3. Access and Transport**

#### **ABP Comments:**

- The planning authority was requested to provide an update on public transport / Bus Connects proposals for Victoria / Wilton Road.
- The prospective applicants should elaborate on the referenced 110 no. bicycle parking spaces and set down area on Orchard Road, which are not shown on the plans.
- The accommodation of operational and servicing transport requirements.
- The application should indicate the required corridor for works along Victoria Road.

#### **Prospective Applicant's Comments:**

- Useful discussions have taken place with PA and there will be further discussions and consultations with the city council and TII.
- They are clear about the requirements of the City Council and will allow an additional 1m(+/-) setback for public transport on Wilton Road
- A mobility management plan has been submitted and a traffic management plan will be prepared for application
- Acknowledge the omission of bicycle parking and set down area in the proposals and this will be addressed.
- Bus connects proposals may allow for a set down area on Orchard Road. The importance of such facilities is acknowledged.
- Set-down and servicing requirements may be accommodated in conjunction with the permitted development to the south.

#### **Planning Authority's Comments:**

- Bus Connects proposals will be going to public consultation in June.
- There were discussions with the prospective applicants in the previous week.
- An additional 1m building set-back or tapering of the building may be required.
- TII are examining route options for LRT and they should be consulted.

- Prospective applicants should continue discussion with traffic department.
- Servicing and access requirements should be addressed, possibly with the adjoining permitted development.

#### **4. Residential amenity**

##### **ABP Comments:**

- The consideration of impacts on adjacent residential properties, as discussed under item no. 1.
- Application documentation should address relevant standards with regard to residential amenity.
- The prospective applicant was requested to address size of studio apartments and compliance with relevant standards.

##### **Prospective Applicant's Comments:**

- The size of proposed studio units is under review.
- One operator will be engaged to operate the three schemes under the prospective applicant's control.
- This operator has identified a need for studio units, but that units of 25-sq.m. are not viable and that rents would be high.
- Studio units of 15 – 17-sq.m. provide choice and are suitable for PHD and Master's Degrees students, who may not wish to share accommodation.
- Across these three PBSA sites, a relatively modest overall number of such studio units are proposed.

##### **Planning Authority's Comments:**

- The development plan states that 25-sq.m. is the minimum size for studio apartments.
- A mix of sizes for studio apartments would be preferable.
- Studio units should provide spaces for work and study, particularly where occupants are not attending college every day.

#### **5. AOB**

##### **ABP Comments:**

- Prospective applicant should confirm the acceptability of the location of the proposed attenuation area with Irish Water.

##### **Prospective Applicant's Comments:**

- Will liaise with the Fire Officer.
- It is noted that the draft City Development Plan has progressed since lodgement of the S.5 request.

##### **Planning Authority's Comments:**

- Internal report identify concerns with fire safety and the prospective applicant should consult with the Fire Officer.

## Conclusion

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published.
- A Schedule of Documents and Drawings should be submitted with the Application.
- Sample notices, application form and procedures are available on the ABP website.
- Irish Water would like prospective applicants to contact Irish Water at [cdsdesignqa@water.ie](mailto:cdsdesignqa@water.ie) **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design.
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is [spatialplanning@water.ie](mailto:spatialplanning@water.ie).

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Stephen O'Sullivan,  
Assistant Director of Planning  
April 2022