



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-305278-19

Strategic Housing Development

The subject scheme proposes 302 units, comprising 111 no. 1 bedroom apartments and 191 no. 2 bedroom units, a creche, retail units at ground floor and ancillary site development works.

Location

Horgan's Quay Railway Street, Cork.

Planning Authority

Cork City Council

Applicant

HQ Developments Limited

Prescribed Bodies

1. Irish Water (IW)
2. Inland Fisheries Ireland (IFI)
3. Transport Infrastructure Ireland (TII)
4. Department of Culture, Heritage

and the Gaeltacht (DAU)

Observer(s)

1. E. P. Hunter
2. Oliver Moran

Date of Site Inspection

20th September 2019

Inspector

Fiona Fair

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1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to An Bord Pleanála under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1.1. The subject site is located within the settlement boundary and close to the centre of Cork City. It is approximately 500m from Patricks Street, Cork City's main retail core and other retail streets such as Oliver Plunkett Street and McCurtain Street. The subject site is located in the south western part of the Horgan's Quay site which is bounded by Kent Station to the east, and Railway Street and the Penrose Wharf commercial properties to the west. Horgan's Quay (N8) a national road and the River Lee are to the south of the site, while the north of the site is bounded by Lower Glanmire Road.
- 2.1.2. The Horgan's Quay and Railway Street area is within the environs of the Cork City Docks (North Docks) area, it represents a previously brownfield and underutilised city centre site, currently under development. Kent Railway Station offers commuter rail connections to other key employment centres such as Little Island, Midleton, Carrigtwohill and Mallow. The site is directly adjacent to the recently introduced Kent Railway Station bus stop. HQ Developments Ltd. are currently constructing a mixed-use regeneration development at Horgan's Quay, Cork. This comprises a hotel, office buildings, retail outlets, a crèche, and residential units. The proposed development represents an alteration of the scheme permitted on foot of T.P Reg. Ref.17/37563.
- 2.1.3. As part of Reg. Ref. 17/37563, a Masterplan was prepared for the overall Kent Station Lands, which proposes a framework for the infrastructure, character and sequencing of the development of those lands. The site strategy for the western end of the Kent Station lands was developed, which identified three quarters within that area:
- The Residential Quarter
 - The Office Quarter

- The Northern Quarter

- 2.1.4. The subject proposal pertains to the Residential Quarter, only, and the proposed changes to the permitted development work within the existing site strategy.
- 2.1.5. The permitted development within the Residential Quarter comprises 216 residential units, which are organised in 3 buildings which wrap around a raised courtyard. The permitted scheme varies in height from 7 to 11 storeys, with the taller part of the scheme facing onto Waterfront Square. The Residential Quarter includes the Station Master's building (Old Railway Station), which is a protected structure, and the permitted development proposes a small garden to its west. A ground floor podium organises car parking, bicycle parking, ancillary tenant services and some supporting retail units.
- 2.1.6. At the time of my site visit it was evident that while works have commenced on part of the Horgan's Quay development lands to the east, the subject site itself (residential quarter) is hoarded off and cleared, with the exception of Station House, however, no construction works have commenced.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development, as per the submitted public notices, will consist of:
- The construction of an apartment building ranging in height from 7 to 10 floors over ground floor and will comprise:
 - 108 no. 1-bedroom apartments and
 - 194 no. 2-bedroom apartments.
 - At ground floor level, the development will consist of:
 - a creche to the corner of Railway Street and Alfred Street (272 m²) and
 - 5 no. retail units ranging in size from 186 m² to 385 m² and totalling 1,231.4 m².
 - Ancillary development to include:
 - ESB Station,

- switch rooms,
 - meter rooms,
 - comms room,
 - generator room,
 - management suite and
 - resident's amenity areas,
 - car parking, bicycle parking,
 - communal bin stores,
 - communal open space areas and
 - provision of rooftop solar panels.
- The proposed development consists of the carrying out of works to protected structure (PS178) Old Railway Station (Station Master's Building). Alterations to the Old Railway Station (Station Master's Building) includes its refurbishment, partial demolition and change of use to provide for ancillary amenities of 160 m2 for the residents of the residential building.
 - Vehicular access to the site will be via an entrance to Railway Street.
 - The proposed development represents an alteration of the scheme permitted by T.P 17/37563.

3.1.1. The application contains a statement setting out how the proposal will be consistent with the objectives of the Cork City Development Plan 2016-2022.”

3.2. The following tables set out some of the key elements of the proposed scheme:

Table 1: Development Standards

| | |
|--|---------------------|
| Site Area | 0.6 ha (6000 sq. m) |
| No. of units | 302 |
| Total Gross Floor Area (including Residential 256021.9 sq. m, the childcare facility 272.1 sq. | 30209.3 sq. m |

| | |
|---|------------------------------|
| m, retail 1231.4 sq. m, Residents Facilities: amenity and management 585.8 sq. m plant and bin store 293.5 sq. m) | |
| Gross Density | 495 units/ha |
| Plot Ratio | 1.5 |
| Public Open Space (OS Parcel A, B and C) | 0.19ha / 1900 sq. m (31.15%) |
| Private Amenity Space | 2,263.8 sq. m |

Table 2: Unit Mix

| Apartments | 1 bed Apart | 1 bed + Apart | 2 bed Apart | Total |
|---|-------------|---------------|-------------|-------------|
| | 101 (33.4%) | 7 (2.3%) | 194 (64.2%) | 302 (100%) |
| Dual Aspect | | | | 106 (35.1%) |
| % of units that exceed the minimum size requirements by 10% or more | | | | 51.99% |

Table 3: Building Height

| Block | Storeys |
|----------------|----------|
| B1 | 8 - 11 |
| B 2 | 8 - 10 |
| Station Master | 1 storey |

Table 4: Part V Provision

| | |
|-----------------------------|---|
| Requirement: 10% - 30 units | Provision: 30 units |
| | The proposed mix of Part V units to be transferred includes 9 no. one bed apartments and 21 no. two bed apartments, location specified in report entitled Part V Costs and Methodology. |

Table 5: Childcare Provision

| | |
|--|--|
| Requirement: | Provision: |
| Section 4.7 of the 2018 Apartment Guidelines is noted. | 272.1 sq. m to cater to 30 – 35 no. childcare spaces |

Table 5: Car Parking

| | |
|-------------------------|------------------------------|
| | Number of car parking spaces |
| Proposed for Apartments | 50 |

Table 6: Bicycle Parking

| | |
|------------------------|-----|
| Bicycle parking spaces | 311 |
|------------------------|-----|

- 3.3. In term of site services, a new water connection to the public mains is proposed, together with a new connection to the public sewer. An Irish Water Pre-Connection Enquiry in relation to water and wastewater connections has been submitted, as required.
- 3.4. The project will be constructed as part of phase 3 of 6 phases of development, with the phasing as follows:
- Phases 1 includes:
 - Hotel and significant public realm to be completed by August 2020
 - Phase 2 includes
 - Block 1 of Offices also under construction and due for completion March 2021
 - Phase 3 includes:
 - Subject application residential and public realm works to Horgan’s Quay and Railway street. It is intended to commence as soon as planning is achieved.
 - Phase 4 includes:
 - Block 2 and 4 Offices due to commence April 2020

- Phase 5 includes:
 - Office Block 4 intended to commence in March 2021 and will include remaining public realm in southern quarter
- Phase 6 includes:
 - Comprises a small residential building next to the hotel. This will mark the completion of the overall development.

4.0 Planning History

Most relevant planning applications include:

Subject site:

PA reference 17/37563. Mixed use residential, office, hotel and retail development with ancillary creche, landscaping and public realm works resulting in the creation of 4 no. public spaces with an area of 5,080 m², services and site development works. The proposed development makes provision for the conservation, refurbishment, alteration and change of use of the Old Railway Station (Station Master's Building), Carriage Shed and the Goods Shed which are Protected Structures to facilitate their integration into the proposed development and for the demolition of structures, including the existing wall to Horgan's Quay which forms part of their curtilage.

Nearby Sites:

PA reference 18/37909. Permission for development including the demolition of buildings bounded by Railway Street, Alfred Street and Penrose's Quay on a site of 0.68 Ha (excluding the footpath areas and public realm works). The proposed development provides for demolition of structures to the rear of the former City of Cork Steampacket Offices (Penrose House) listed as Record of Protected Structures Ref PS281 and the construction of a two building office development including the construction of a six storey over ground floor building to Penrose's Quay and Railway Street and an eight storey over ground building to Alfred Street and Railway Street (total overall floor area of 39,992 sq. m GFA inc. basement areas).

19/38589 – Tower Developments – Customs house 240 bedroom hotel – pending application.

Redevelopment of the Custom House site at North Custom House Quay and South Custom House Quay, Custom House Street, Cork City to provide a 240 bedroom hotel, 25 no. hotel serviced suits and a range of commercial uses including retail, office, food and beverages, distillery, tourism and leisure. The redevelopment will have a GFA of c. 31,604 sq. m. The proposed development consists of the carrying out of works to Protected Structures PS060, PS818 and PS163.

Key hallmarks of the development incl. 34 storeys and 140m in height.

5.0 National and Local Planning Policy

5.1 Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- ‘Urban Development and Building Heights Guidelines for Planning Authorities’ - 2018
- ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’ - 2018
- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’) 2009
- ‘Design Manual for Urban Roads and Streets’ 2013
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’ 2001
- ‘Architectural Heritage Protection - Guidelines for Planning Authorities’ 2011

Other relevant national guidelines include:

- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.

5.2 Statutory Plan for the area

Cork City Development Plan 2015-2021.

Zoning and Related Objectives

The site is located on lands zoned ZO16 – Mixed Use Development, where it is an objective – ‘To promote the development of mixed uses to ensure the creation of a vibrant urban area, working in tandem with the principles of sustainable development, transportation and self-sufficiency.’

The site accommodates a building listed on the RPS as PS 178 - Old Railway Station & Carriage Shed.

Chapter 3 relates to the City Centre and Docklands, the site is located at the interface between the Commercial Core Area and the North Docklands.

Objective 13.26 North Docks - The North Docks, including the railway station lands and waterfront areas, will be developed in accordance with the vision set out above and indicated on Maps 1 and 2 of Volume 2. A comprehensive Masterplan, in line with the Development Plan policy and informed by the Docklands Public Realm Masterplan will be required to guide development of the station and adjoining waterfront lands and Cork City Council will work with the landowners and the transport stakeholders to secure this.

The CDP includes a variety of policies and objectives in relation to the residential strategy, development management, urban design, development standards, density, plot ratio, residential design and apartment developments, building heights, visual impact assessment and design statements. Some are expanded below:

Core Strategy

Strategic goals include:

Goal 1 – Increase population and households to create a compact sustainable city. This refers to an ambitious target for population growth in the city.

Goal 2 – Achieve a higher quality of life, promote social inclusion and make the city an attractive and healthy place to live/work/visit/invest in.

Goal 5 – Maintain and capitalise on Cork’s unique form and character. This refers to the dramatic east-west ridges creating the visual setting for the city. The focus is on protecting and capitalising on the unique character while providing opportunities for new development.

Residential Strategy

Objective 6.1, Strategic Objectives, refers to:

- encouraging the development of sustainable residential neighbourhoods,
- the provision of a variety of housing types,
- encouraging the use of underused land/buildings,
- promoting high standards of design,
- protection/enhancing amenities of existing residential areas.

Relevant City Development Plan policies and objectives include:

Section 16.41 - Residential Density

Densities higher than baseline levels will be appropriate in other types of location:

- Along bus routes densities should be to a minimum density of 50 dwellings per hectare (subject to constraints imposed by the character of the surrounding area);
- At larger development sites (>0.5 hectares in size, the size of a residential block) capable of generating and accommodating their own character;
- Major development areas and mixed use areas (including the central areas, District, Neighbourhood and Local centres).

The CDP outlines policies with regard to Building Height in the City Centre and Inner Urban Areas and Tall Buildings, Objective 16.7 Tall Building Locations, designates tall building locations.

Objective 16.4 Skyline and roofscapes, outlines how the city roofscape could be managed.

6.0 Section 5 Pre Application Consultation

6.1. A Section 5 pre application consultation took place at the offices of An Bord Pleanála on the 9th May 2019. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála was of the opinion that the documentation submitted **would constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

6.2. Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission arising from this notification:

1. Notwithstanding that the proposal constitutes a reasonable basis for an application, the prospective applicant should satisfy themselves that the proposed building heights and articulation provide the optimal architectural solution for this site and in this regard, the proposed development shall be accompanied by an architectural report and accompanying drawings which outline the design rationale for the proposed building heights and massing having regard to inter alia, National policy such as Urban Development and Building Heights Guidelines for Planning Authorities' – 2018 and local planning objectives concerning building height, the site's riverside context and locational attributes. The report should describe how the use of massing and height achieves the required densities but with sufficient variety of form to respond to the adjoining emerging developments and creates visual interest in the streetscape and riverside location. In this regard, more detailed drawings that illustrate particular design motifs, the junctions between elements such as windows and balconies and how the form of the overall block is broken up should be prepared.
2. Detailed contextual elevations and cross sections that show permitted development in the vicinity, specifically but not confined to the following: the

relationship between the apartment block, landscaped boundary and the entire width of the Railway Street and footpaths, the relationship between the apartment block and emerging development to the east and the internal relationships between the block and the station master's building and the landscaped amenity spaces.

3. A detailed landscaping plan for the site which clearly sets out proposals for hard and soft landscaping including street furniture, where proposed. Details relating to the materiality of the proposed podium and ground floor open spaces should also be submitted. Detailed proposals for the interface between the proposed development and Railway Street and Horgan's Quay, together with details of the public realm surrounding the site and adjacent to the permitted development to the east. Additional detailed CGIs and visualisations should be submitted in this regard.
4. The following reports that address all aspects of building appearance and durability:
 - (a) A report that specifically addresses the proposed materials and finishes and the requirement to provide high quality and sustainable finishes and details Particular attention is required in the context of the visibility of the site along Horgan's Quay and to the long-term management and maintenance of the proposed development.
 - (b) A life cycle report shall be submitted in accordance with section 6.3 of the Sustainable Urban Housing: Design Standards for New Apartments (2018).
5. A mobility management strategy which shall be sufficient to justify the amount of parking proposed for cars and bicycles. The amount of bicycle parking should take account of the standards set out in table 16.9 of the city development plan, and should be in locations that are convenient, sheltered and secure. An assessment of car parking provision should take account of the advice provided in the 2018 Guidelines on Design Standards for New Apartments.
6. A housing quality assessment which provides the details regarding the proposed apartments set out in the schedule of accommodation, as well as

the calculations and tables required to demonstrate the compliance of those details with the various requirements of the 2018 Guidelines on Design Standards for New Apartments including its specific planning policy requirements.

7. A Daylight/Sunlight and Overshadowing analysis, showing an acceptable level of residential amenity for future occupiers and neighbours of the proposed development, which includes details on the standards achieved within the proposed residential units and in private, shared and public open space. Drawings should be suitably scaled and annotated.
8. A detailed phasing plan that addresses the delivery of public realm improvements and public amenity spaces that form part of the permitted development currently under construction adjacent to the site. Specifically, any interdependencies, if any, between the prospective application and the permission for the overall site should be highlighted.
9. A draft construction management plan and a draft waste management plan.
10. Flood Risk Assessment as it relates to the site, in the context of the adjacent permitted development.

7.0 Applicant's Statement of Consistency

- 7.1. A statement of response to the Pre-Application Consultation Opinion was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016. This statement provides a response to each of the **ten** issues raised in the Opinion.
- 7.2. **Item 1.** Building Height and Articulation, response carried out by O'Mahony Pike Architects. Detailed design statements and considered evaluations / rationales have been submitted.

It is submitted that the massing of the proposed scheme has been carefully considered to respond to and enhance the local context. Height is used to address the scale of the quays and signify changes in the urban landscape such as opening onto a significant public open space.

The tallest element is at the junction of Horgan's Quay and the new Waterfront Square. It is only marginally smaller than the new permitted office block (to the east), and together they will frame the square and highlight its presence on the quay.

The scale of this pair of buildings is considered appropriate to the Quay's context and the openness of the waterside landscape in this location.

The roof line of the building is dropped along railway street, creating two book ends to the open space either side of the stationmaster's building and framing the streetscape. The lowered height responds to the relatively narrow street width and creates a sympathetic setting for the Station Masters's building - set within a west facing garden open to the street.

On Horgan's Quay, this height is slightly lower than the level of the permitted office block on Penrose Quay, and both buildings work as a pair either side of the protected structure of Penrose Quay.

It is submitted that the design of the building is a direct response to the docklands context and draws on the rigour of the architectural language of the buildings in Cork Docklands. These are typically buildings of scale, with a rigorous architecture, expressed structure, robust materials, but also a quality of detail that endures.

The proposed scheme also draws on the Georgian terraces of cork with their vertical expression, subtle modulation (height), nuanced rhythm (window size and detail) and varied use of brick. These influences generate an architecture that has a nuanced rigour and is very much of its place.

The Station Master Building is the focus point of the residents' garden, which is organised over three levels - street, terrace and podium levels, linked with steps.

The courtyard garden will provide visual space and it is proposed that the elevation behind the Station Master's Building be white coloured render, to provide visual variety and to maximise reflected light within the courtyard. Framed balconies are proposed to add depth and interest to this elevation.

- 7.3. **Item 2.** Relationship with Context. O'Mahony Pike Architects have responded to this item.

Architectural Drawings, Diagrams and CGI's of permitted Penrose Dock Scheme. Cross sections indicating the relationship of proposed adjoining development at Penrose Quay, railway road, protected building (station square), waterfront square, the proposed development, and proposed adjoining commercial development at Horgan's Quay.

Reference is made to the permitted development Ref. 18/37909 currently being built on Penrose Quay. The development consists of a two storey protected structure and two large office blocks, 7 storey on the quay and 9 storey on Railway Street. The office blocks will screen part of the subject development from the City Centre, and together they will define the character of Railway Street.

It is contended that the two developments will play against each other, with strong gables placed in alternate positions either side of the street and the lower protected structures. This will promote openness and good daylight ingress in the street. The Stationmaster's garden will soften the street and provide the office block with a pleasant view.

The schemes are 16m apart at the north end of the street, but their staggered location allows residential balconies a clear view down Alfred Street. To the South of the street, residential balconies will benefit from the lower height of the protected structure opposite.

- 7.4. **Item 3.** Landscaping plan for the site which clearly sets out proposals for hard and soft landscaping including street furniture, where proposed.

A Landscape Architecture Design Statement has been submitted in response to this item. A number of CGIs have been included in the submitted Design Statement documents (ref. August 2019)

The landscape design vision and intent aims to create a series of open spaces that are connected physically and through the use of complementary hard and soft materials. The railway heritage on the site has informed the concept development and contribute to the overall geometry proposed.

Materials have been chosen to create a distinctive neighbourhood character for the site and to promote the spaces as people places to spend time and congregate. This fun, split level space is activated through the use of seating areas, a recreational artificial lawn with play mounds, hammocks, walkways and steel slides. The lower area features several barbeque grills and timber picnic bench areas to encourage community interaction and year-round use-ability of the site for all ages.

7.5. **Item 4. Materials and Finishes**

The proposed materials reflect those used in the existing buildings of the docklands and express the robust character of the location. Brick, concrete, stone and render anchor the scheme in its context, and their use is carefully considered and detailed to ensure a durable architecture.

The expression of the scheme as a terrace of buildings allows for the introduction of a variety of brick types, pointing and detailing.

The brick cladding will be treated differently for each form, through a combination of different brick colours and different mortar colour and pointing.

It is proposed to introduce white render on the courtyard elevation, typical of the rear of Georgian facades. This will form a backdrop to the Station Master building, provide visual variety and maximise reflected light within the courtyard.

Balconies are generally simple cantilevered metal elements, with metal balustrades running past the slab edge. The use of metal refers to the industrial history of the area.

A frame is proposed on Station Square, and as a backdrop to the Stationmasters building. This will add layering and interest to these more intimate areas of the scheme.

4 (B) A life cycle report has been carried out by aramark and submitted. The report addresses the long term management and maintenance of the proposed development.

7.6. **Item 5.** A Mobility Management Strategy

Arup has been appointed by HQ Developments Ltd. to produce an Outline Mobility Management Plan (MMP) for the proposed residential development at Horgan's Quay in Cork City Centre.

The site is well served by public transport. Kent Station, which is the only railway station serving Cork City, is immediately adjacent to the site of the proposed development. The station has recently been redeveloped and is now accessible from the new Station Access Road, making access to the train station less than 100m from the proposed development.

The development is located approximately 400m from Parnell Place Bus Station, which is the terminus for a number of the city bus services and most of the regional bus services serving Cork City. The site is also within 500m of the bus stops at St. Patrick's Quay, which is the terminus for a number of private bus operators. The Black Ash Park and Ride Service serves the city centre via Eglinton Street which is approximately 550m walk from the proposed development. Much of Cork City Centre is within a 20-minute walk of the proposed development site. The MMP outlines mobility plan commitments for carpooling / car sharing, public transport and cycling.

- It will be an objective of Building Management to set up an information hub for tenants and to promote alternative modes of transport and disseminate information at a single point of contact.
- It will also be an objective to develop a Commuter Notice Board at a physical location within the building, to disseminate information. This will provide a 'one-stop shop' for residents and any employees and will be used to promote alternative modes of transport.
- It will provide information on bus timetables, discounted bus ticket fares available through the LEAP card scheme, discounted cycle purchases and all other relevant promotions, incentives and information which can be used by tenants.

- It will also provide details (if relevant) of different parking areas available including bicycle parking as well as disabled, visitor and electric vehicle parking areas.

7.7. **Item 6.** A housing quality assessment has been carried out by O'Mahony Pike Architects and submitted with the application.

This and the statement of consistency also refers to the 2018 Apartment Guidelines Sustainable Urban Housing: design standards for new apartments. All units are at or over the required standards. Almost 52% of the total units are 10% over the minimum GFA as required. Dual aspect apartments account for over 35% of units. Ground floor ceiling heights are 2.7m. All apartments have terraces or balconies that meet the standards. In addition, residents benefit from extensive public plazas.

7.8. **Item 7.** A Daylight/Sunlight and Overshadowing analysis.

The proposed scheme was assessed with respect to the amenity area's access to sunlight and the living areas' access to daylight. The amenity area's access to sunlight was quantified by hours of direct solar exposure. Average Daylight Factor (ADF) was used to quantify the daylight levels in the living rooms.

The analysis shows that over 50% of the amenity area will receive at least two hours of sunlight on March 21st meaning that it should appear adequately sunlit throughout the year.

The ADF analysis showed that all living rooms tested on the lowest occupied level (Level 1) are expected to have an ADF greater than 1.5% and therefore are in line with the best practice guidance provided in BR-209 Site Layout Planning for Daylight & Sunlight and BS 8206-2 Code of practice for daylighting. As a sample, these living areas are representative of the majority of living areas in the development and therefore it can be concluded that the overall scheme provides good levels of daylight to the majority of apartments. Furthermore, as the level one apartment's are expected to be some of the worst performing spaces in terms of access to daylight it can be concluded that the living areas on the upper floors will be an improvement over the level one apartments. The analysis performed on the two sample

apartments on level five confirms this, with a significant improvement seen in the ADFs in the living areas on this level.

The kitchens/dining areas in the apartments are internal spaces. The BRE guide recognises that internal kitchens are often unavoidable due to the many apartment layout considerations but recommends that these are “directly linked to a well daylight living rooms” as is the case with the proposed design.

The impact by the proposed development on neighbouring properties is limited given the location, use, orientation and separation distances and the public area around the proposed development has an adequate sunlight access, offering a great aspect on the quay and Waterfront Square. Furthermore, the private amenity spaces and balconies offer great views, with the few north-facing balconies to overlook either the shared open space or the expansive public realm with views towards St Luke's area. Overall, the scheme provides good access to sunlight for the amenity areas and majority of the living areas in the apartments can expect to be well daylight.

7.9. **Item 8.** Phasing Plan:

The phasing diagram for the overall development reflects the sequence of delivery of both the buildings and public realm at Horgans Quay, construction of which is already under way. Indeed, the overlap of the different phases reflect a staggered start and finish of the different buildings rather than a phasing plan, as the intention is to deliver the entire scheme as quickly as possible. It should be noted that the internal road (Alfred Street extension) separating the northern and southern parts of the site is complete and does not form part of the site. The development of the subject application forms Phase 3 of 6 phases of development of the overall site. It is stated it is proposed to commence this phase as soon as planning is achieved.

7.10. **Item 9.** A draft construction management plan and a draft waste management plan.

A CEMP has been submitted. It is noted that the overall site is already cleared of all derelict buildings extending to some 2.48 ha.

7.11. **Item 10.** Flood Risk Assessment

A Flood Risk Assessment (FRA) by Arup Consulting Engineers (August 2019) accompanies the application. This assessment was carried out in accordance with the “Guidelines for Planning Authorities, The Planning System and Flood Risk Management” published by the Department of Environment, Heritage and Local Government, (DoEHLG), and the Office of Public Works (OPW), published November 2009.

The FRA takes into account the Lee Catchment Flood Risk Assessment and Management Study (CFRAMS) report published by the OPW in March 2014, along with the proposed Lower Lee (Cork City) Drainage Scheme plans which are available in the public domain via www.lowerleefrs.ie.

The development is located downstream of Michael Collins Bridge at Horgan’s Quay, on the north side of the North Channel of the River Lee in Cork City, at the point where the River Lee South and North Channels meet.

The existing site ground levels range from 3.4mOD at the southern entrance to 5.0mOD at the northern boundary.

Penrose Quay roadway along the front of the site ranges in level along its centre line from 2.8 to 3.0mOD. The Horgan’s Quay footpath ranges from 3.3 to 3.5mOD.

Penrose Quay roadway generally slopes down from north to south. The road levels along the southern (quay-side) edge range from 2.8 to 2.9mOD. Railway Street on the western boundary ranges in level from 3.2 to 4.4mOD and slopes down from north to south.

The proposed Design Flood Level at the site is 3.0mOD, which corresponds to the 1 in 200 year tidal flood level.

Accounting for 0.55m increase due to climate change and incorporating 0.3m of freeboard for all habitable floor levels (residential development), the recommended threshold level should be set no lower than 3.85mOD Malin. The proposed 3.85m threshold and ground floor level is above all the Lee CFRAMS predicted ‘current’ and

mid-range future scenario fluvial and tidal flood levels, even for 1 in 1000 return period floods.

There is no net increase in surface water runoff from the site as a result of the proposed development. The proposed ground floor level of 3.85mOD is above the level of the surrounding streets and there is no significant risk of pluvial flooding.

8.0 Third Party Submissions

8.1. Two number third party submission received (from Eleanor Hunter and Oliver Moran) they are collectively summarised under the following headings:

Piecemeal Development

- Object to planning applications, subsequent to the start of construction, except in circumstances of necessity due to error in the original planning application.
- Over intensification on the site

Architectural Design

- The North Docks have a backdrop of a beautiful hill full of trees, colourful terraces and spires.
- The South Docks do not have any such scenic setting
- There is nothing unique or exceptional about this newly proposed development. Base standard box construction with no characteristics deserving of prominence.
- The waterfront and the landscape provide a sense of place in any city.
- View and wonderful vista across the River are being obliterated by construction of enormous office blocks on the Riverbank of the North Channel.

Loss of Views and Heritage

- Cork is a heritage city and it has been a tourist destination for international cruise liners.
- Proposals to reduce the space between the blocks not only impacts upon light / space within its environs but also views to the river from the hill above, views to the picturesque hill from the footpaths and river below as well as heritage / culture of the city.

- Demolition / partial demolition of a Protected Structure is undesirable.

Health and Safety

- The ground on which all high-rise office blocks are currently being constructed in the North Docks has historically been a mix of poor-quality reclaimed land, located on a river-bank.

Car Parking

- The reduced number of car parking spaces is noted as positive.
- Concern is had that reduced car parking may have a knock-on effect for spill over car parking / parking stress on adjoining streets, there is a need to attach conditions to prevent this.
- Residents of Grattan Hill and the Lower Glanmire Road have requested the introduction of resident permit parking on these streets.
- Suggested Conditions:
 - Cork City Council will implement residential parking in the vicinity of the development, particularly along the Lower Glanmire Road, Grattan Hill (with the exception of 14 Grattan Hill), Mahoney's Avenue and Summer Hill (which is connected to the location of the development by pedestrian steps).
 - That the developer and management company will make contributions towards the implementation and on-going costs of enforcement of parking regulations in the vicinity of the development.

9.0 Planning Authority Submission

9.1. In compliance with section 8(5)(a) of the 2016 Act the planning authority for the area in which the proposed development is located, Cork City Council, submitted a report of its Chief Executive Officer in relation to the proposal. This was received by An Bord Pleanála on 21st October 2019. The report may be summarised as follows:

9.2. Appendix A – Part 1:

The chief Executives views on the effects of the proposed development on the proper planning and sustainable development of the area of the authority and on the environment, having regard in particular to the matters specific in section 34(2) of the Planning and Development Act 2000, as amended, submissions and observations duly received by the Board and the views and opinions of the Elected members of Cork City Council in relation to the application, and

9.3. Part 2:

The authority's opinion as to whether the proposed strategic housing development could be consistent with the relevant objectives of the development plan or local area plan, as the case may be and a statement as to whether the p.a. recommends that permission should be granted or refused and the reasons for the recommendation.

9.4. Appendix B

Internal Reports

9.5. Appendix C

Planning Conditions that the p.a. would recommend in the event that ABP decides to grant planning permission, together with the reasons, and grounds for such conditions.

9.6. **Summary of Inter-Departmental Reports**

Transportation Section: Report received it recommends a grant of permission subject to 14 no. conditions. It recommends that car parking be reduced further to 22 spaces (19 E.V. and 3 disabled car parking spaces) and that cycle parking be increased from proposed 311 to 647.

Housing Section: Report received dated 09.10.2019 and indicates no objection to a grant of permission subject to a standard condition requiring the applicant/developer to enter into an agreement in accordance with Part V of the Planning and Development Act 2000 (as amended) prior to commencement.

Archaeologist: Email received dated 18.10.2019 and indicates no objection to a grant of permission. Email states that the archaeologist disagrees with the Departments recommendation. There are no underwater archaeological implications in the proposed SHD development. The archaeological conditions of the permitted

development 17/37563 apply. However, compliance has been achieved in the area where the SHD development is proposed.

Environment, Waste Management and Control: No objection subject to condition.

City Architect: No Objection. In summary, this proposal, is a well-considered development and with the recommendation of façade modification to Horgan’s Quay, this development is a welcome addition to the city’s urban fabric.

Drainage: No objections subject to conditions.

Roads Design (Planning): No objections subject to 6 no. conditions. In light of recent publications and also acknowledging recent granted applications (19/38338) in close proximity to the scheme, the quantum of car parking is excessive, and it would be irresponsible to permit this quantity. The applicant is requested to remove car parking provision on the site excluding for the applicants 3 no. designated disabled and 19 no. E.V car parking bays.

Fire Officer: Further Information requested.

Conservation: No objection subject to condition.

Heritage: No objection subject to condition.

9.7. **Summary of Planning Assessment:**

- The Cork City Development Plan, local area plans and national planning guidance supports the provision of appropriately-located residential development. Most of the site is Zoned ZO 16 – Mixed Use Development – the Objective of which is: ‘To promote the development of mixed uses to ensure the creation of a vibrant urban area, working in tandem with the principle of sustainable development, transport and self-sufficiency’.
- The wider permitted uses on the site are mixed use with 3 distinct quarters, hotel, office and residential.
- The principle of the proposed development generally corresponds to the pattern of the previously permitted development on this site. The p.a. is satisfied that the proposed development accords with the relevant land-use zoning objectives and general strategic development objectives of the City Development Plan.

- The proposal for 302 units on the proposed development site with a density of 495 units per hectare is in accordance with density guidance and objectives as set out in the City Development Plan and National Planning Guidelines, and the sites city centre location beside the railway station.
- The proposal is assessed in terms of:
 - Visual impact
 - The principle of a tall building on the site
 - Impact upon residential amenity
 - Design
 - Traffic and transportation issues and parking
 - Flooding
 - Drainage
 - Natural heritage
 - Conservation and architectural heritage
 - Part V
 - Environmental screening
- The development will make a significant contribution to addressing the housing shortage in the city and in residential units in the immediate area and contribute towards compact urban growth.
- The proposed development will result in more sustainable residential densities.
- The design, form and layout of the proposed development is considered positive and will complete the already permitted Horgan's Quay development.
- The p.a. is of the opinion that the proposed SHD would be consistent with the relevant objectives of the Cork City Development Plan 2015 -2021 as well as the ambitions set out in the NPF and rebuilding Ireland and recommends that planning permission should be granted.

9.8. **Grant Recommended**

The planning authority recommends that permission be granted subject to 41 no. conditions.

10.0 Prescribed Bodies

10.1. The applicant was required to notify the following prescribed bodies prior to making the application:

- Transport Infrastructure Ireland
- Minister for Culture, Heritage and the Gaeltacht
- Heritage Council
- An Taisce – The National Trust for Ireland
- Irish Water
- Inland Fisheries Ireland
- Minister for Transport, Tourism and Sport
- Cork City / County Childcare Committee

10.2. **SUMMARY OF PRESCRIBED BODY REPORTS:**

Department of Culture, Heritage and the Gaeltacht: Underwater Archaeology.

There is a strong potential that under water cultural heritage could be present within the footprint of the proposed development from all eras, both around and beneath the present quays.

The proposed development should be subject to the appropriate cultural heritage and architectural heritage assessment. This should include both terrestrial and underwater cultural heritage assessment that assesses the archaeological potential for the area.

An underwater Archaeological Impact Assessment (UAIA) should be carried out to support the cultural Heritage Section of the EIAR.

Inland Fisheries Ireland (IFI): No Objection

Irish Water: Based upon the details provided by the developer and the Confirmation of Feasibility issued by Irish Water, Irish Water confirms that subject to a valid connection being put in place between Irish Water and the developer, the proposed connection(s) to the Irish Water network(s) can be facilitated.

Transport Infrastructure Ireland: No Objection. The proposed development shall be undertaken strictly in accordance with the recommendations of the Transport

(Traffic Impact) Assessment. Any recommendations arising should be incorporated as conditions on the permission, if granted.

11.0 Oral Hearing Request

None requested.

12.0 Assessment

I have had regard to all the documentation before me, including, *inter alia*, the report of the planning authority; the submissions received; the provisions of the Cork City Development Plan 2015-2021, relevant Section 28 Ministerial Guidelines; provisions of the Planning Acts, as amended and associated Regulations; the nearby designated sites; the Record of Section 5 Consultation Meeting; Inspector's Report at Pre-Application Consultation stage and Recommended Opinion; together with the Notice of the Pre-Application Consultation Opinion. I have visited the site and its environs. In my mind, the main issues relating to this application are:

- **Site Zoning and Principle of the Development**
- **Density and Design**
- **Residential Amenity**
- **Landscape and Open Space**
- **Transportation and Carparking**
- **Other matters**
 - **Architectural Heritage**
 - **Archaeology**
 - **Protected Structures**
 - **Construction Management and Phasing**
 - **Part V**
 - **Childcare**

- **Flooding**

- **Environmental Impact Assessment (EIA)**
- **Appropriate Assessment (AA)**

12.1. **Site Zoning and Principle of the Development**

- 12.1.1. Having regard to the nature and scale of development proposed, namely a 302 residential units apartment scheme with childcare facility and ground floor retail use, I am of the opinion, that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 12.1.2. In the Cork City Development Plan 2015-2021 the subject site is zoned 'ZO 16' – 'Mixed Use Development' – the Objective of which is: 'to promote the development of mixed uses to ensure the creation of a vibrant urban area, working in tandem with the principle of sustainable development, transport and self-sufficiency'.
- 12.1.3. Para. 15.23 of the City Development Plan states: 'This zoning objective facilitates the development of a dynamic mix of uses for Docklands which will interact with each other creating a vibrant residential and employment area. A vertical and horizontal mix of uses should occur where feasible, including active ground floor uses and a vibrant street frontage on principle streets'.
- 12.1.4. Para. 15.24 'This zoning applies to areas of the North and South Docks. The range of permissible uses within this zone in Docklands includes general offices, conference centre, third level education, hospital, hotel, commercial leisure, cultural, **residential**, public institutions, **childcare services**, business and technology/research uses (including software development, commercial research and development, publishing, information technology, telemarketing, data processing and media activities) and in addition, **local convenience stores/corner shops and community/civic uses**'.
- 12.1.5. The proposed development is a high-density (495 units / ha) apartment scheme that is intended to primarily cater to the significant numbers of people employed in the City Centre and the emerging office quarter in the vicinity of the site. The scheme consists of a mixture of 1 and 2 bedroom units, childcare facility 272.1 sq. m, ground

floor retail 1,231.4 sq. m, residents facilities: amenity and management 585.8 sq. m, plant and bin store 293.5 sq. m. It is a revision of a permitted scheme for a mixed-use development at the site (Planning Reg. Ref. 17/37563). The permitted parent development comprised a larger scheme that included a hotel (currently under construction), an office block (at pre-commencement stages) and 2 separate residential quarters. It is noted that the proposal complies with Objective 13.7 'Active Ground floor Uses', paragraph 13.32 – 13.33 (encouraging active ground floor uses) and Objective 13.11 'City Centre Living'. The current proposed residential block represents an uplift of 86 no. residential units to what was previously permitted. It is contended that the revision is being sought in response to the evolved planning policy context since the previous application was made, as well as the updated planning precedent within the immediate context of the site, namely the permitting of the commercial / office development on the adjacent Penrose Quay (Ref. 18/37909).

12.1.6. The proposed development site is in a key sustainable location in the heart of Cork City Centre while the location is also directly adjacent to bus and rail infrastructure namely Kent Railway Station and Parnell Bus Station. Apartment units form a significant element of the permitted and proposed development. Both of these factors will ensure that the subject proposal contributes positively to addressing the acute shortage of apartment development in the wider Cork City area. I agree with both the applicant and the p.a. that the proposed uplift on the number of units within the scheme from what was permitted under Ref: 17/37563 will ensure that the potential of this valuable and strategic City Centre site is maximised.

12.1.7. I shall deal with how the proposal interacts with surrounding land uses and assess the proposal with respect to Para. 16.49 'Proposals for new Residential Developments' in the following sections of this report. I highlight that Para. 16.49 states: 'When assessing proposals for residential developments, the following (but not limited to) shall be considered:

- Density;
- Plot ratio;
- Accessibility, traffic impact, proximity to public transport, provision of adequate car & bicycle parking etc.;

- Statement of housing mix & type, and special needs housing as per Housing Strategy;
- Access to neighbourhood facilities;
- Design and quality of proposed layout;
- Orientation, overlooking and overshadowing;
- Provision of adequate public and private open space;
- Provision of waste storage & recycling facilities.

12.1.8. Overall, I consider the principle of the proposed development to be appropriate and acceptable at this location and in compliance with the zoning objective for the area ('ZO 16' zoned lands), as set out in the operative Cork City Development Plan. The Cork City Development Plan, local area plans and national planning guidance supports the provision of appropriately-located residential development.

12.2. Density and Design

12.2.1. Third party concern is raised with respect to piecemeal nature of the proposal, over intensification on the site and architectural merit of the proposed building in the context of the sites setting.

12.2.2. The density is 495 units per hectare and the proposal has a plot ration of 1:5. Plot ratio for the city centre (Table 16.1 indicates Plot Ratio Standards – sets the City Centre and Docklands north and south – as 1.5 – 2.5).

12.2.3. Para. 16.41 of the City Development Plan states that; 'Within the city minimum residential density in suburban areas should be 35-50 dwellings per hectare. Densities of greater than 50 dwellings per hectare will normally require a mix of houses and apartments. Densities higher than this baseline level will be appropriate in other types of location:

- Along bus routes densities should be to a minimum density of 50 dwellings per hectare (subject to constraints imposed by the character of the surrounding area);
- At larger development sites (>0.5 hectares in size, the size of a residential block) capable of generating and accommodating their own character;

- Major development areas and mixed-use areas (including the central areas, District, Neighbourhood and Local centres).

12.2.4. Para. 16.42 goes on to state: 'The residential density of developments in central and inner suburban (pre-1920) areas of the city will normally be higher than 75 dwellings per hectare responding to the nature of their context, and are more likely to be controlled by other considerations. These will include plot ratios (see Table 16.1), and other planning and design considerations'.

12.2.5. The proposed development comprises part of the overall Horgan Quay quays development and relates to an amendment to previously permitted residential / apartment scheme.

12.2.6. There is one building proposed, ranging from 7 to 11 stories in height, up to a maximum height of 36.2m. The building is:

- Eight storeys to eleven storeys forming the edge to Horgan's Quay with a higher corner element.
- Eleven storeys to nine storeys forming an edge to the triangular space and street with the office development under construction.
- Ten to nine storeys forming the northern edge with the hotel development under construction.

Note: Horgan's Quay office block under construction (Reg. Ref. 17/37563) fronting onto Horgan's Quay has a parapet height of c. 37m OD. Penrose Dock also under construction (Reg. Ref. 18/37909) has a parapet height of c. 37.3m OD addressing Horgan's Quay.

12.2.7. Para. 16.25 'Building Height', of the Cork City Development Plan categorises a tall building as of 32 meters or higher, up to a maximum of 39.8m OD parapet height. The City Development Plan goes on to advise that the Docklands and South Mahon are the areas with potential to accommodate tall buildings. It is further advised that all other areas of the city are not considered appropriate including the City Centre (within the 1869 boundary) Paragraph 16.35 states that Corks tallest strategic landmark building should be that for the proposed Eastern Gateway in the South

Docks Area as this location defines the gateway to Docklands and the City Centre from the east.

- 12.2.8. Regard is also had to para. 16.37 of the Plan which sets out that tall buildings will normally be appropriate where they are accessible to a high-quality public transport system. Regard is also had to Urban Development and Building Height: Guidelines for Planning Authorities (Dec 2018) which provide guidance / national policy on building heights in relation to urban areas. Building height is identified as an important mechanism to delivering compact urban growth.
- 12.2.9. The building height proposed has been considered in detail in the p.a.'s submitted report and cognisance being had to precedent set in the area, planning history and planning policy both nationally and locally the p.a. considered that the height is acceptable.
- 12.2.10. This site is located adjacent to Kent Train Station, served by the 205 bus route, Parnell Place Bus Station and proposed BRT line. It is within 500m of the city centre and clearly served by high quality public transport nodes. The subject planning application pertains to the residential quarter of the permitted development at Horgan's Quay, which is part of the Kent Station lands. The subject proposal aligns with the Kent Station Masterplan and with local and national planning policy. The site forms part of a key brownfield area under rapid transformation. The current proposal is an amendment to a previously permitted development, it occupies the same footprint, will not exceed the permitted maximum height and it is concluded the visual impact will remain largely unchanged. Overall it is considered that the scale, massing and density are appropriate within its context of the built up environs of the Cork City Docklands, whilst ensuring that the design achieves a sustainable use of development land.
- 12.2.11. The apartment Block has a centrally located corridor with apartment units on either side. This Block is 'extruded' to form a three-side courtyard around the former 'Stationmaster's House'. The building is designed to form an internal courtyard facing west. The building also has a southern boundary which fronts onto Horgan's Quay, a south eastern boundary which creates a public triangular space and street with new office development under construction. Similarly, this building on its north-eastern

boundary creates a square with the new office development under construction and the new hotel under construction.

12.2.12. The development creates a frontage onto Horgan's Quay on its southern face. On its eastern face it creates a triangular public space and a street with office development under construction. Similar public spaces with a new hotel development are formed on the northern frontage. Simultaneously, the design shape of the three-sided urban block forms an internal raised courtyard with the former 'Stationmaster's House', which is being conserved. Retail at ground level creates an active street frontage and is welcomed. It is the opinion of the City Architect that from an architectural standpoint, the height and massing of the proposed development is appropriate given the context of the current development to the east and west of this proposal. The p.a. consider that the architectural language used expressing the form of the apartments within a consistent grid is very mannered and the use of materials and detailing is well considered.

12.2.13. The subject proposal will occupy a similar building footprint to the permitted residential quarter and will not exceed the permitted maximum height. It is considered that the visual impact of the revised scheme will therefore be largely unchanged with increases to shoulder heights but no overall increase in the height of the proposed structure.

12.2.14. The applicant has submitted detailed design statements and considered evaluations / rationales. I note and refer the Board to the O'Mahony Pike CGI Views submitted as part of the Design Statement (Aug 2019). It is the architect's description that the residential quarter is designed as a terrace of buildings of varying heights and expressed as a terrace of buildings through the use of brick types, pointing and detailing. Brick cladding is proposed to be treated differently for each form, by use of different brick colours and different mortar colour and pointing, use of white render on the courtyard building forms a backdrop to the Station Masters building providing variety and maximising reflected light in the courtyard. I tend to agree with the p.a. stance that the elevational treatment of the River frontage should take precedence and consequently the elevation treatment of the river frontage should have a more formal treatment. I consider the external finishes and materials proposed to be of high quality, however, I agree that the balconies should be incorporated within the facade as winter gardens without any projections on the Horgan's Quay elevation

thus differentiating the importance of this façade on a riverside frontage from the other elevations and associated public spaces.

12.2.15. I am of the opinion that the proposed building would be a welcome addition to the city's urban fabric. It is a well-researched, well-conceived design and it will be aesthetically pleasing in its context. The CGI's, photomontages and visual impact assessment submitted with the planning application indicates that the impact of the proposal on the Cork City Docklands will be positive. I agree that the design of the building in this context is well considered. That it is generally in accordance with the original development strategy for the site and the wider area, is of high quality and I consider that it will energise and excite within its context. It will provide significant positive effects in the context of the Cork City Docklands regeneration.

12.3. Residential Amenity

12.3.1. 'A Statement of Consistency' has been submitted which demonstrates adherence of the proposal to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018). All apartments proposed within the scheme are 1-2 bedroom and as outlined in the submitted Housing Quality Assessment submitted all are in excess of the minimum required floor areas. Almost 52% of the total units within the proposal are 10% over the minimum required gross floor areas. The proposed scheme achieves dual aspect in 35% of the proposed units, which is marginally above the 33% minimum for central / accessible locations as outlined in the 2018 Apartment Guidelines. Ground level floor to ceiling heights of 2.7m are provided for in all units within the proposed scheme. All apartments are compliant with room sizes, storage areas and the minimum area requirement for POS (all apartments either enjoy terraces or balconies). The proposal provides for 1,939 sq. m of communal open space at ground floor and podium level. This amounts to 6.4 sq. m per unit within the scheme.

12.3.2. The planning authority report raises concern with respect to a number of units which are described as 1 bedroom (e.g. level 2 unit 12 and level 3 unit 12) and which have a separate independent study. Described as one bed apartment + and have a floor area of 55.4 sq. m. There are also a number of two-bedroom 3 person apartments proposed (e.g. level 1 unit 11, level 6 and 7 unit's 05, level 8, 9 and 10 unit's 07) that range from 63.5 sq. m – 71.6 sq. m and would appear to meet with paragraph 3.6 of

the apartment guidelines, for social / sheltered housing which are a two bedroom apartment to accommodate 3 persons with a minimum floor area of 63 sq. m. Overall I consider the interior space standards acceptable and in line with Appendix 1 'required minimum floor areas and standards' set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities. Concerns raised by the planning authority can be dealt with by way of condition.

- 12.3.3. The proposal incorporates civic spaces on the waterfront (waterfront square), adjacent to the protected structures and on Railway Street (proposed residents open space – railway garden and podium level garden) and to the north east abutting the new road and the permitted hotel development (Station Square). The design's overall form, architecture and landscaping respond suitably to the location creating a sense of place. The retention and integration of the Old Station Master's building into the proposed development strengthens the character and historical significance of the site.
- 12.3.4. The proposal has the potential to be an attractive place in which to live. All frontages of the proposed block are active. Retail units or café's on Horgan's Quay, Waterfront Square and Station Square to harness views, orientation and footfall. A creche is located at the corner of Alfred Street and the new road and resident's amenity is proposed in the Station Masters building. The development will also enable users of the train station an easier and more permeable walkway to the city centre and Parnell Bus Station.
- 12.3.5. The submitted 'Sunlight and Daylight Access Analysis' states that "all living rooms within the proposed development are likely to achieve Average Daylight Factors considerably in excess of the minimum levels recommended by the British Standard for achieving a predominantly daylight appearance".
- 12.3.6. It is considered that the impact by the proposed development on neighbouring properties is limited given the location, use, orientation and separation distances and the public area around the proposed development has an adequate sunlight access, offering a great aspect on the quay and Waterfront Square. Furthermore, the private amenity spaces and balconies offer great views, with the few north-facing balconies to overlook either the shared open space or the public realm with views towards St

Luke's area. Overall, the scheme provides good access to sunlight for the amenity areas and the majority of apartments can expect to have well daylighted living areas.

12.3.7. It is considered that the development as proposed is consistent with the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and it is considered that the separation distances achieved between the proposed development and the site boundaries with other development, is acceptable and will not lead to undue adverse overlooking or overbearing impact.

12.3.8. The Development Plan seeks to maximise the use of zoned and serviced land. Consolidation through sustainable higher densities allows for a more compact urban form that more readily supports an integrated public transport system. The Cork City Docklands area is undergoing a period of regeneration with significant office developments such as One Albert Square, Penrose Wharf and Navigation Square. The proposed scheme varies in height from 7 to 11 storeys. It is considered that the development will not have a significant undue adverse impact on the amenity of the adjoining area. Given the height of the proposed buildings and the distances to the site boundaries it is considered that any shadowing impact that will occur will be limited.

12.4. Landscape and Open Space

12.4.1. The development will be surrounded by public open space that offers its residents a private garden organised around the existing Station Master's building. The Station Master's building is to be restored to become a resident's amenity space. The permitted Horgan's Quay development proposes a generous extent of public realm, which includes civic spaces on the waterfront, adjacent to the protected structures and a civic space on Railway Street. In future, Horgan's Quay will also be redeveloped, providing a high-quality South facing pedestrian waterfront.

12.4.2. The subject scheme retains all of these permitted civic spaces, and also increases the scale of the garden in front of the Station Master Building. Two stepped routes are proposed between the public realm and the first floor residential courtyard, improving connectivity within the Residential Quarter, and providing visual interest in the scheme.

12.4.3. It is submitted that the landscape architectural proposals aim to create a series of open spaces that are connected physically through the use of complementary hard

and soft materials. The Landscape Architecture Design statement submitted sets out that the railway heritage on the site has informed the concept of the development and contributes to the overall design proposed.

12.4.4. Materials have been chosen to create a distinctive neighbourhood character for the site and to promote the spaces as people places to spend time and congregate. It is submitted that the concept is based upon the residential urban block wrapped around three sides of a raised courtyard, creating a continuous, but varied streetscape open space area with a fun, split level space activated through the use of seating areas, a recreational artificial lawn with play mounds, hammocks, walkways and steel slides. The lower area features several barbeque grills and timber picnic bench areas to encourage community interaction and year round use-ability of the site for all ages.

12.4.5. I consider the level and quality of landscaping and public open space proposed is appropriate and acceptable.

12.5. Transportation and Carparking

12.5.1. The sites central and accessible location, within walking distance of the city centre (approx. 500m), proximity to Kent railway station (intercity rail services) and bus station (with suburban regional and National Bus Eireann services) are noted. The site can be defined as a Central Accessible Location in accordance with the categorisations included in the 2018 Apartment Guidelines.

12.5.2. It is proposed to provide 50 no. car parking spaces and 311 no. bicycle parking spaces. The minimal level of parking provision combined with proximity to the city centre and public transport linkages is expected to make pedestrian movements the preferred method of entry and egress from the site. A number of improvements are proposed to pedestrian facilities in the area in accordance with the conditions of the permitted development 17/37563, see paragraph 7.6 of this report for Mobility Management Strategy. The development site is well placed to capitalise on existing and planned cycling infrastructure in the area. The site is served by the Cork City public bike scheme, with 2 bike share stations close by.

12.5.3. This application represents an alteration to the residential component of a mixed-use scheme permitted at this location in 2018 on foot of TP 17/37563. The office and hotel elements of the overall development are under construction and the traffic,

transportation and mobility issues associated with the overall development were assessed in the EIAR prepared for that development.

- 12.5.4. While the proposed development will result in an increase of 86 units to 302 no. total, it proposes a reduction in the number of car parking spaces from 77 no. to 50 no. It also proposes an increase in bicycle parking provision.
- 12.5.5. The Mobility Management Strategy, prepared by Arup, as part of the parent permission, conducted an analysis of the accessibility of the site and concluded that the majority of Cork City centre, including large residential areas such as Wilton, Ballyphehane, Blackpool and parts of Midleton are within a 45 minute commute by Public Transport (including walking). The applicant has submitted an Outline Mobility Management Plan with the subject proposal.
- 12.5.6. The Transportation Division and Road Design Planning Section of the p.a. are critical of the proposal to provide 50 surface car parking spaces, to serve this development. It is considered that the applicant's commitment to sustainable development is meaningless with their insistence to provide car parking spaces. In light of recent publications (Apartment Guidelines (2018), NPF 2040 (2018) and Draft Cork Metropolitan Area Transit Strategy (2019)) and also acknowledging recent granted applications (19/38338) in close proximity to the scheme, the quantum of car parking is considered excessive and that it would be irresponsible to permit this quantity. The p.a. request that the applicant reduces car parking provision on the site excluding for the applicants 3 no. designated disabled and 19 no. EV car parking bays (total 22 no.).
- 12.5.7. I tend to agree with the planning authority on this matter, given the sites attributes of location proximate to Cork City centre and to high quality public transport nodes in tandem with the lack of rationale / justification for 50 surface car parking spaces, that commitment to sustainable development is paramount and that the level of surface car parking is not justified, therefore 22 no. EV spaces would be more appropriate.
- 12.5.8. The p.a. considered that the cycle parking proposed is substantially below the recommended standards and is not acceptable. It is recommended that cycle parking should be increased from 311 cycle parking spaces to 647 spaces.
- 12.5.9. The first party acknowledge that in order to meet the quantity requirements as outlined in the 2018 Guidelines, they need to provide a total of 647 bicycle parking

spaces when resident and visitor parking is accounted for. Due to the site location adjacent to Kent Station and within 10 minutes walking distance of the city centre, Cork Bus Station it is considered that this quantum of bicycle parking is not required.

12.5.10. It is submitted that in accordance with bicycle parking standards identified in the Cork City Development Plan a total of 311 no. bicycle parking spaces are proposed. This is justified in terms of site location, connectivity and presence of two public bike stations located within 5 minutes' walk of the site.

12.5.11. I tend to agree with the first party in this respect. The development site is defined as a Central Accessible Location with pedestrian movements the preferred method of entry and egress from the site. It is also well placed to capitalise on existing and planned cycling infrastructure in the area. The site is served by the Cork City public bike scheme, with 2 bike share stations close by, thereby, I consider that 311 on site cycle parking spaces are appropriate and sufficient to serve the proposed development.

12.5.12. The subject site provides an opportunity to deliver residential developments on a key brownfield derelict site within the North City Docklands City, adjacent to Cork's Kent rail station and a 10-minute walk from the commercial core of Cork site. It is considered that that this site is highly accessible and that E.V. car parking of 22 spaces and 311 on site cycle parking spaces is appropriate to serve the site. This matter can be dealt with by way of condition.

12.6. Other Matters

Architectural Heritage

12.6.1. Archaeology

There are no recorded archaeological monuments listed in the Record of Monuments and Places (RMP) within the proposed development site. The closest recorded archaeological site to the proposed development site is Cork's Kent Station (CO074-117) located adjacent to the east. The proposed development site lies 800m outside and to the east of the Zone of Archaeological Potential for the historic city of Cork (CO074-034001).

The report from the Department of Culture, Heritage and the Gaeltacht submits that there is a strong potential that under water cultural heritage could be present within the footprint of the proposed development from all eras, both around and beneath the present quays. It recommends that the proposed development should be subject to a cultural heritage and architectural heritage assessment. This should include both terrestrial and underwater cultural heritage assessment that assesses the archaeological potential for the area. It concludes that an underwater Archaeological Impact Assessment (UAIA) should be carried out to support the cultural Heritage Section of the EIAR.

The planning authorities Archaeologist disagrees with the Departments recommendation. It is stated: 'that there are no underwater archaeological implications in the proposed SHD development. The archaeological conditions of the permitted development 17/37563 apply. However, compliance has been achieved in the area where the SHD development is proposed'.

The subject site is located in the North Docklands adjacent to Kent Station. The site comprises vacant brownfield land which would have been the original site of the main city rail station. The River Lee is separated from the southern part of the site by the N8 national road. The proposed scheme consists of alterations to 4 no. permitted residential over ground floor retail blocks containing 216 no. apartments, as permitted under TP 17/37563, as part of the redevelopment of a site as a mixed use development. These alterations include the amalgamation of the 4 no. residential blocks into a single apartment building (7-10 floors over ground floor) and internal alterations which will result in an increase in 86 apartments to a total of 302 apartments.

Given the level of development permitted and underway at this location and the characteristics of the proposed development I tend to agree with the planning authority Archaeologist. It is noted that there is a parent permission on the development site which was subject to EIAR and AA screening. It is noteworthy that the Archaeologist indicates that compliance has been achieved in the area where the SHD development is proposed.

12.6.2. Protected Structures

There are two buildings within the overall Horgan's Quay development site that are listed as Protected Structures (PS) in the Cork City Development Plan 2015 – 2021. There are the Station Masters Building (PS 178), within the subject development site and a Goods Depot (PS 929) located to the east of the subject site. These buildings are part of the Penrose Railway Station that opened in 1855 and remained operational until 1893 when the larger Kent Station was constructed adjacent to the east of the development site. The site is not within an Architectural Conservation Area (ACA).

Alterations to the Old Railway Station (Station Masters Building) includes its refurbishment, partial demolition and change of use to provide for ancillary amenities of 160 sq. m for the residents of the residential building.

The Conservation Officer considers that the revised design for Horgan's Quay SHD is an improvement in how the original Station Masters Building is incorporated and in terms of how it relates to the other buildings adjacent.

The Stationmasters building will be retained as a resident's amenity building within the residential scheme, in a similar manner to the permitted scheme. However, in the subject scheme, the scale of the garden to the west of the protected structure is increased, and the geometry the space is changed, so as to improve the setting of the protected structure and improve the landscaped quality of Railway Street. The podium sits behind the building to the South and East, with only a connecting element to the North linking the rooms within to the other resident's amenity spaces in the main building. This allows the full volume of the Stationmaster's building to be read. Behind the building, the podium is slightly pulled back not to interfere with the structure and provide passive ventilation to the car parking. A terrace is proposed to the West, level with the ground floor of the building and reminiscent of a station platform. Wide steps will meet the garden at grade, allowing the full height of the building to be read. I consider that the retention, restoration and reuse of the Station Masters building within the development site in the manner proposed is welcome and will be an integral and positive design element of the overall scheme. I agree that the conservation and reuse of the building is well considered, it will be aesthetically pleasing in its context.

12.6.3. Construction Management and Phasing

A 'Construction, Environmental and Demolition Management Plan' has been submitted. It is noted that the overall site is already cleared of all derelict buildings extending to some 2.48 ha. The phasing diagram for the overall development reflects the sequence of delivery of both the buildings and public realm at Horgans Quay, construction of which is already under way. Indeed, the overlap of the different phases reflect a staggered start and finish of the different buildings rather than a phasing plan, as the intention is to deliver the entire scheme as quickly as possible. It should be noted that the internal road (Alfred Street extension) separating the northern and southern parts of the site is complete and does not form part of the site. It is stated it is proposed to commence this phase as soon as planning is achieved. The project will be constructed as part of phase 3 of 6 phases of development, see paragraph 3.4 of this report for details of phasing proposal.

Road cleanliness will be monitored throughout the works and a road sweeper will be employed when required. The contractor will liaise with the local authority and all adjoining owners / residents in respect of the timing and movement of the road sweeper activity.

All deliveries must be notified to the site in advance so that the site will be organised, for the offloading and dictate which crane will be unloading. This is to ensure that delivery trucks, on entering the site, cannot block any of the public roads adjacent to the site. An assigned banks man will control all deliveries.

Proposed working hours from 8 am to 6 pm Monday to Friday, 8 am to 4 pm on Saturdays, or as conditioned by Cork City Council. It is proposed that hours of work outside of these times will be by agreement with the local authority. This matter can be dealt with by way of condition.

Some mitigation measures are set out in relation to dust, dirt, noise, vibration and Invasive species. It is noted that the following reports / plans are appended to the submitted 'Construction, Environmental and Demolition Management Plan'
Appendix 1 Waste Management Procedure and Waste Management Plan

Appendix 2 Waste Management Areas Please
Appendix 3 Asbestos report
Appendix 4 Summary Program
Appendix 5 Public Realm Handover Sequence
Appendix 6 Site Office Compound Area
Appendix 7 Site Entrance Areas
Appendix 9 Traffic Management Plan.
Appendix 10 Invasive Species Management Plan

12.6.4. **Part V**

30 no. units are proposed to be provided as part of the Part V obligations; 21 x 2 bedroom and 9 x 1 bedroom are highlighted on accompanying drawings prepared by O'Mahony Pike Architecture. The breakdown of the units including floor space are highlighted in the documentation submitted.

The Housing Section of the Council considers that the proposal is capable of complying with the requirements of Part V and recommends a condition be attached requiring the applicant/developer to enter into an agreement in the event of a grant of permission. The Planning Authority is satisfied with Part V proposals. A general Part V condition should be attached.

12.6.5. **Childcare**

The proposal for a childcare facility of some 272 sq. m is noted and welcomed. The proposed creche has been increased from what was proposed at pre-consultation stage and is intended to cater for 30 – 35 no. childcare spaces with added kitchen facilities to allow for a future operator to cater for full day care.

The creche is relocated from its previously permitted location under the parent permission to the corner of Railway Street and Alfred Street and increased in size from 189 sq. m to 272 sq. m

The applicants 'Statement of Rationale on Childcare Provision' is noted. It is considered that the proposed childcare provision within the scheme will be sufficient to cater to the expected population profile of future residents of the scheme.

12.6.6. **Flooding**

There are no watercourse located within the site. The closest River is the River Lee which is separated from the southern part of the site by the N8 national road. The Office of Public Works (OPW's) online national flood hazard mapping (www.floodmaps.ie) indicates periodic flooding in Cork City but does not indicate any flooding within the actual development site itself.

A Floor Risk Assessment (FRA) has been completed for the site previously, which documents that the proposed ground floor level for the development is above the minimum level recommended in the South Docklands Local Area Development Plan and includes recommended design mitigation measures which will be implemented to ensure that the flooding risk to the proposed development will be acceptable. The conclusion also has regard to the Lower Lee Flood Relief Scheme analysis.

Arup have submitted an FRA, dated Aug 2019 with the subject application. It is stated that the existing site ground levels range from 3.4mOD at the southern entrance to 5.0mOD at the northern boundary. Penrose Quay roadway along the front of the site ranges in level along its centreline from 2.8 to 3.0mOD. The Horgan's Quay footpath ranges from 3.3 to 3.5mOD. Penrose Quay roadway generally slopes down from north to south. The road levels along the southern (quay-side) edge range from 2.8 to 2.9mOD. Railway Street on the western boundary ranges in level from 3.2 to 4.4mOD and slopes down from north to south. The proposed Design Flood Level at the site is 3.0mOD, which corresponds to the 1 in 200 year tidal flood level.

Accounting for 0.55m increase due to climate change and incorporating 0.3m of freeboard for all habitable floor levels (residential development), the recommended threshold level should be set no lower than 3.85mOD Malin. The proposed 3.85m threshold and ground floor level is above all the Lee CFRAMS predicted 'current' and mid-range future scenario fluvial and tidal flood levels, even for 1 in 1000 return

period floods. There is no net increase in surface water runoff from the site as a result of the proposed development. The proposed ground floor level of 3.85mOD is above the level of the surrounding streets and there is no significant risk of pluvial flooding.

The Drainage and Environment Sections of the p.a. have no objection to the subject proposal. The drainage division assessment notes that the FRA submitted as part of the application has been incompletely uploaded to the applicant's website, stopping abruptly midway through section 4.4 on page 9 of the report. Nonetheless the Drainage Division is satisfied with the applicant's proposals to mitigate flood risks by setting minimum floor level of 3.85m (OD Malin).

Having considered the submitted FRA report, while I note that it ends abruptly, the contents page ends at section 4.4 page 9, therefore, there is no information before me to believe that the report is incomplete.

In light of information before me I am satisfied that the proposal is acceptable from a flood perspective, subject to appropriate conditions.

12.7. Environmental Impact Assessment

EIA is not mandatory for the proposed project and I do not consider that there is a sub-threshold requirement. The Ecological Impact Assessment, carried out by HW Planning, is noted and considered acceptable.

Having regard to the nature and scale of the proposed development, the nature of the receiving environment and proximity to the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

12.8. **Appropriate Assessment (AA)**

The proposed development site is not directly connected with, or necessary for, the management of any Natura 2000 site. No habitat loss will occur within any Natura 2000 site as a result of this proposed development.

The applicant has submitted an AA screening report which sets out a description of the proposed development, identifies the Natura 2000 sites within 15kms of the development. The report examines cumulative impacts and concludes that the proposed development is located approximately 3.8 kilometres west of the Cork Harbour SPA (site code 004030) and 7.8 kilometres from the Great Island Channel SAC (site code 001058). The River Lee which flows eastwards across the road from the southern boundary of the site is hydrologically connected to the SAC and SPA. Theoretically, there is a hydrological source-pathway-receptor linkage between the proposed development and these two Natura 2000 sites due to the potential risk of pollution from the development to the river at Horgan's Quay, therefore they are deemed to be within the zone of influence of the proposed development.

No Annex species or habitats were noted on the site or in its immediate environs. No significant impact on Natura 2000 sites are foreseen. Table 1 below sets out the two European sites located within a 15-kilometre range of the proposed project.

Table 1

| Natura 2000 sites within 15km range of site Natura 2000 Code | Qualifying Habitats and Species | Conservation Management Objectives |
|--|---|---|
| Great Island Channel SAC 001058 | Atlantic salt meadows Mudflats and sandflats not covered by seawater at low tide | To restore the favourable conservation condition of Atlantic salt meadows in Great Island Channel SAC. |
| Cork Harbour SPA 004030 | Little Grebe Great Crested Grebe Cormorant Grey Heron Shelduck Wigeon Teal Pintail Shoveler Red-breasted Merganser Oystercatcher Golden Plover Grey Plover lapwing Dunlin Black-tailed Godwit Bar-tailed Godwit Curlew Redshank Greys Shank Black-headed Gull Common Gull Lesser Black-headed Gull Common Tern Wetlands and Waterbirds | To maintain the favourable conservation condition of the species in Cork Harbour SPA, as well as the wetland habitat as a resource for the regularly occurring migratory waterbirds that utilise it. |

I have had due regard to the screening report and data used by the applicant to carry out the screening assessment in respect of the Natura 2000 sites identified as being within 15km radius of the development site, which are Great Island Channel SAC (site code 001058) and Cork Harbour SPA (site code 004030), including the nature of the receiving environment and proximity to the nearest European sites.

I consider it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, in view of the said sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

13.0 Recommendation

13.1.1. I recommend that permission be **granted** for the proposed development subject to the following conditions:

14.0 Reasons and Considerations

14.1. Having regard to the following:

- (a) the site's location on lands with a zoning objective 'ZO16' for 'Mixed Use Development' and the Objective in the Cork City Development Plan 2015-2021: 'to promote the development of mixed uses to ensure the creation of a vibrant urban area, working in tandem with the principle of sustainable development, transport and self-sufficiency'.
- (b) the sites setting in a key sustainable location in the heart of Cork City Centre, in the north Docklands within 500m walking distance of Cork City retail core, also directly adjacent to rail and bus infrastructure, namely, Kent Railway Station and Parnell Bus Station
- (c) the nature, scale and design of the proposed development which is consistent with the provisions of the Cork City Development Plan and appendices contained therein, Local Area Plan and National Planning Guidance.

- (d) the Rebuilding Ireland Action Plan for Housing and Homelessness, (Government of Ireland, 2016),
- (e) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March, 2013
- (f) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (g) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2018
- (h) the nature, scale and design of the proposed development,
- (i) the availability in the area of a wide range of social, community and transport infrastructure,
- (j) the pattern of existing and permitted development in the area and
- (k) to the submissions and observations received,

It is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this urban regeneration area, would not seriously injure the visual amenity of the area, would be acceptable in terms of urban design, height and quantum of development 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.

15.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 proposed development shall comply with the terms and conditions governing the overall site under TP Ref. 17/37563, unless modified or otherwise required by this grant of planning permission or any conditions contained in this schedule.

Reason: In the interest of orderly development and clarity.

3. Prior to commencement of any works on site, revised details shall be submitted to and agreed in writing with the planning authority with regard to the following:

- (i) Revised elevational treatment of the Horgan's Quay elevation by the incorporation of balconies within the façade as winter gardens without any projections on the Horgan's Quay elevation.
- (ii) A revised car parking layout that complies with the quantitative requirements of the planning authority, maximum 22 E.V. car parking spaces (incl. 3 mobility impaired car spaces).
- (iii) Design details for the proposed 311 on-site bike storage stands both internally and externally.

Reason: In the interests of proper planning and sustainable development, to safeguard the amenities of the area and to enhance permeability.

4. Details of the materials, colours and textures of all the external finishes to the proposed apartments incl. hard and soft landscaping elements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. (a) Specifications, method statements and schedule of works for the existing Station Masters Building (Old Railway Station) shall be prepared by an experienced registered architect qualified to at least RIAI conservation grade, who shall certify upon completion that the works have been carried out in accordance with good conservation practice.

(b) The redundant machinery, former railway equipment and other elements of industrial archaeological interest shall be itemised, assessed for suitability for re-use on site as part of the new landscaping proposals to be submitted to the written agreement of the planning authority.

Reason: In the interest of the protection of the architectural and historical heritage of the area.

6. (a) The site shall be landscaped in accordance with the submitted scheme of landscaping. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall be implemented fully in the first planting season following completion of the development or each phase of the development and any plant materials that die or are removed within 3 years of planting shall be replaced in the first planting season thereafter.

(b) Where feasible the planting of native pollinator friendly species of plants and trees shall be incorporated into the landscape plan.

Reason: In the interest of conservation, residential and visual amenity.

7. Water supply and drainage arrangements, including the 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 to ensure a proper standard of development.

8. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

9. Each apartment shall be used as a single dwelling unit, only.

Reason: To prevent unauthorised development.

10. Mitigation measures against the risk of flooding, as outlined in the FRA report submitted as part of this application, are to be implemented as presented. Any proposed changes to these mitigation measures shall be agreed in writing with the Planning Authority, prior to implementation.

Reason: In the interest of public health and flood protection.

11. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, the 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.

12. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide a demolition management plan, together with details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

13. The glazing to the all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interests of residential amenity.

14. The developer shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining property(s) as a result of the site construction works and repair any damage to the public road arising from carrying out the works.

Reason: In the interests of traffic safety and residential amenity.

15. Prior to commencement of any works on site, revised details shall be submitted to and agreed in writing with the planning authority with regard to the following:

(i) The set down / loading area should be at grade with the footpath area, so that when not in use it can revert back to pedestrian use.

(ii) Details of materials, finishes and other measures that are particular to the development and adjacent streets should be maintained. It is preferable to keep a clear visual separation between carriageway, kerb and footway. This can be achieved by using different tonal contrast and surface textures.

(iii) Traffic signs and markings that incorporate clutter free design are required.

(iv) Confirmation that all works associated with this condition shall be completed by the applicant and at the applicant's expense.

(v) The applicant shall contact Cork City Council Road Maintenance Division to ascertain the required permits and specifications for any works.

Reason: In the interest of pedestrian safety.

16. (i) The internal road network, public footpaths within and outside the proposed development site, lighting, cycle parking provision and car parking arrangements, including facilities for the recharging of electric vehicles, shall comply with the requirements of the planning authority for such works.

(ii) A final Stage 2 (detailed design) and post construction (Stage 3) independent Quality Audit (which should include a Road Safety Audit, Access Audit, Walking Audit and a Cycle Audit) shall be carried out at the developer's expense for the development in accordance with the Design Manual for Urban Roads & Streets (DMURS) Guidance and TII (Transport Infrastructure Ireland) standards. The Quality Audit team shall be approved by the Planning Authority and all measures recommended by the Auditor should be undertaken unless the Planning Authority approves any departure in writing. A feedback report should also be submitted providing a response to each of the items.

(iii) A full mobility management plan shall be carried out and commitments made in the mobility management plan shall be fully developed and agreed in writing with Cork City Council.

(iv) A swept path analysis for fire tender access to Station Square and Waterfront Square shall be carried out and agreed in writing with Cork City Council.

(v) The proposed set down area for the creche shall be omitted from the development and a provision for a set down area for the refuse truck shall be provided to the written satisfaction of the planning authority.

Reason: In the interest of traffic and public safety.

17. Site development and building works shall be carried only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 amenities of property in the vicinity.

18. Prior to commencement of development, proposals for an apartment numbering scheme and associated signage shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development

19. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a properly constituted Owners' Management Company. This shall include a layout map of the permitted development showing the areas to be taken in charge and those areas to be maintained by the Owner's Management Company. Membership of this company shall be compulsory for all purchasers of property in the development. Confirmation that this company has been set up shall be submitted to the planning authority prior to the occupation of the first residential unit.

Reason: To provide for the satisfactory completion and maintenance of the development in the interest of residential amenity.

20. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

21. 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 social and affordable housing in accordance with the requirements of section 96 of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter (other than a matter to which section 97(7) applies) may be referred by the planning authority or any other prospective party to the agreement to the Board 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 of the area.

22. The submitted phasing programme for the development shall be strictly adhered to, unless otherwise agreed in writing with the planning authority.

Reason: To provide for the orderly development of the site

23. Prior to occupation of the childcare facility full signage detail shall be submitted for the written approval of the planning authority.

Reason: In the interest of visual amenity.

24. 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 Bord 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.

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 Bord 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 the Cork Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Bord 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Fiona Fair

Planning Inspector

6th November 2019

APPENDIX A- List of submissions received

1. Irish Water (IW)
2. Inland Fisheries Ireland (IFI)
3. Transport Infrastructure Ireland (TII)
4. Department of Culture, Heritage and the Gaeltacht (DAU)
5. E. P. Hunter
6. Oliver Moran