



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion ABP-306048-19

Strategic Housing Development

81 no. student apartments (550 no. bedspaces) and associated site works.

Location

O' Riordan's Joinery, Bandon Road, a portion of the Church of Immaculate Conception, Lough Road, 74 Bandon Road and No's. 1 and 2 Ardnacarrig, Bandon Road, Co. Cork.

Planning Authority

Cork City Council

Prospective Applicant

Lyonshall (Bandon Road) Limited

Date of Consultation Meeting

23rd January 2020

Date of Site Inspection

15th January 2020

Inspector

Erika Casey

1.0 Introduction

- 1.1 Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the Planning Authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1 The site is located in the inner southern suburbs of Cork City and on the southern side of the Bandon Road/Glasheen Road (R849) near the junction with Magazine Road (R608). The Cork Lough is located a short distance (c.100 metres) to the south. University College Cork (UCC) is located approximately 200-300 metres to the north. The immediate area is predominantly residential comprising mainly 1 and 2 storey housing with a limited amount of apartment development. There are some commercial/retail uses along the Bandon Road. The Church of the Immaculate Conception is a prominent landmark located a short distance to the east of the site. Ground levels on the site are generally higher than those of the immediately adjoining residential properties.
- 2.2. The site has a stated area of 1.03 hectares and comprises a large warehouse/industrial building and a small garage (total floor area c.3,740 square metres) and associated yards. The site also incorporates part of a green area associated with the Church of the Immaculate Conception and part of the public road in front of the site including the junction between the Bandon, Glasheen and Magazine Road. The site also includes no. 74 Bandon Road and No.s 1&2 Ardnacarrig, Bandon Road.
- 2.3 Immediately adjacent uses include: to the north (along Bandon Road/Glasheen Road), a vacant residential/retail building and associated yard; to the west, the residential areas of Croaghtamore Square and Loughview Terrace; to the south, residential properties in Lough Villas, and to the east, The Church of the Immaculate Conception and associated grounds.

3.0 Proposed Strategic Housing Development

3.1 Permission for a student accommodation scheme was previously permitted on the site under application reference ABP 303437-19. Since then, the applicant has acquired additional lands enabling the enlargement of the site with additional frontage to the Bandon Road. A review of building heights in the permitted scheme has also been undertaken with efficiencies throughout the various permitted blocks achieved through a reduction in floor to floor heights. This has facilitated an additional storey to Blocks 1, 2 and 4 with a marginal increase in the permitted building height. The alterations to the previously permitted scheme consist of:

- Increase in the site area and more extensive frontage to Bandon Road through the addition of no. 74 Bandon Road and No.s 1 and 2 Ardnacarrig, Bandon Road.
- Construction of a new student apartment building fronting Bandon Road (Block 5) which will range in height from 1 to 5 storeys and will contain shared amenity, study areas, building management and café at ground floor and 79 bed spaces in 12 apartments on the upper floors.
- Alterations to permitted Blocks 1 and 2 to provide for reduced floor to ceiling heights at all levels and the addition of 1 storey to that previously permitted, to provide for a building ranging in height from 4 to 6 storeys and consisting of 126 no. bed spaces in 19 no. apartments.
- Alterations to permitted Block 4 for a reduction in floor to ceiling heights at all levels and the addition of 1 storey to that previously permitted, to provide for a building ranging in height from 5 to 6 storeys and consisting of 161 bed spaces in 22 no. apartments.
- Construction of a 3 storey building fronting Bandon Road with a retail/coffee shop at ground floor level and 1 no. 3 bedroom student apartment on the upper floors.

3.2 Access to the development will be via a gated entrance from the Bandon Road. The development makes provision for an upgraded junction between Magazine Road and Bandon Road which will include traffic calming measures, enhanced pedestrian public realm and dedicated bus set down area.

- 3.3 The development also provides for ancillary site works including the provision of a substation/switch room/boiler room, bin store and a pump room/gas cylinder store, associated landscaping and internal shared surface courtyards with car (16 spaces) and bicycle parking (210 spaces – 0.38 spaces per bed space). The development also makes provision for the re-location of a mobile telecommunications mast from the roof of the existing industrial building to the roof of Block 2 of the proposed development.
- 3.4 The development will comprise 81 no. student apartments accommodating 550 bed spaces. The breakdown of accommodation will be as follows:

No.	Type
54	8 bedroom apartments
2	7 bedroom apartments
12	6 bedroom apartments
2	5 bedroom apartments
3	4 bedroom apartments
1	3 bedroom apartments
7	Studio apartments

4.0 Planning History

- 4.1 There have been two recent applications pertaining to the subject site which are summarised below:

An Bord Pleanála Reference ABP-300697-18/Planning Authority Reference 17/37374

- 4.2 The board granted permission on 17th August 2018 for a development of student accommodation on the site with 324 bedspaces in four blocks (amended from five blocks in the initial application) that would be three to four storeys high. Condition no. 2a required the floor area of the southern half of Block 4 to be set down to 31m OD.

An Bord Pleanála Reference 303437-19

- 4.3 Permission granted in April 2019 for a Strategic Housing Development comprising 57 no. student apartments accommodating 419 bed spaces and all ancillary site works in 4 apartment blocks ranging in height from 4 to 5 storeys. The development also provided for road improvements near the entrance of the proposed development including an upgraded junction between Magazine Road and Bandon Road, traffic calming measures, enhanced pedestrian public realm and dedicated bus set down areas.

5.0 National and Local Planning Policy

5.1 National Policy

National Planning Framework 2018-2040

- 5.1.1 Objective 2a of the National Planning Framework 2018-2040 is a target that half of future population growth will be in the cities or their suburbs. Objective 13 is that, in urban areas, planning and related standards including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. Objective 35 is to increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building height.
- 5.1.2 Objective 8 of the framework sets ambitious growth targets for Cork, proposing a c.50% growth in population to 2040. In achieving this, it places a great emphasis on compact growth requiring a concentration of development within the existing built up area, including increased densities and higher building format than hitherto provided for. Brownfield sites, in particular, are identified as suitable in this context. At Section 6.6, dealing with housing, the framework refers specifically to student accommodation. It notes that accommodation pressures are anticipated to increase in the years ahead and indicates preferred locations for purpose built student accommodation proximate to centres of education and accessible infrastructure such as walking, cycling and public transport. It also notes that the National Student Accommodation Strategy supports these objectives.

The National Student Accommodation Strategy 2017

5.1.3 The National Student Accommodation Strategy issued by the Department of Education and Skills in July 2017 aims to ensure an increased level of supply of purpose built student accommodation (PBSA). Key national targets include the construction of at least an additional 7,000 PBSA bedspaces by end 2019 and at least an additional 21,000 bedspaces by 2024. It states that 3,788 spaces were available in Cork 2017 and projects that 6,436 would be required there in 2019 and 7,391 in 2024. A progress report issued in July 2019 reported that 12,677 spaces were available in the country at the end of Q3 2018, with planning permission granted for another 8,577 and sought for 203.

5.2 **Section 28 Ministerial Guidelines**

5.2.1 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 section 28 Ministerial Guidelines are:

- '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.
- 'Urban Development and Building Heights – Guidelines for Planning Authorities', 2018.

5.2.2 Other relevant guidance:

- DHPCLG Circular PL8/2016 APH 2/2016 (July 2016): Encourages co-operation between local authorities and higher education institutes in the provision of student housing. Indicates that student accommodation should not be used for permanent residency but can be use by other persons/groups during holiday periods.
- Guidelines on Residential Development for Third Level Students, Section 50 Finance Act 1999 (Department of Education and Science, 1999).

5.3 **Cork City Development Plan 2015-2021**

5.3.1 The subject site is located in the administrative area of Cork City Council and the operative Development Plan is the Cork City Development Plan 2015-2021.

- 5.3.2 The majority of the site is zoned ZO4 for Residential, Local Services and Institutional Uses. The provision/protection of residential uses and amenity is a central objective. The frontage of the site to the Bandon Road is zoned ZO10 for Local Centres. The objective is *“to protect, provide for and/or improve the retail function of local centres and provide a focus for local centres”*.
- 5.3.3 This frontage, together with the Bandon Road to the east and west and the adjacent residential streets of Croaghtamore Square, Loughview Terrace and Lough Villas, is designated as a Historic Street Character Area (HSCA) under and Para. 9.57 of the plan. These designations refer to some older residential areas outside the city centre which have street frontages/groups of buildings of architectural/social interest. It is the objective of the City Council to protect the character of these groups of buildings and streets. Objective 9.33 refers to the protection of the physical/architectural character of these areas, avoiding insensitive alterations which would detract from their character.
- 5.3.4 The Greenmount Architectural Conservation Area (ACA) is located to the east. The area includes the Lough Church (Church of the Immaculate Conception) which is recorded on the NIAH as being of regional importance and its immediate grounds. The Bandon Road ACA is to the east. It comprises a small group of buildings on the corner of Bandon Road and Lough Road.
- 5.3.5 Objective 10.1 of the plan is to preserve and enhance Cork’s landscape character, key landscape assets and views and prospects of special amenity value. Objective 10.2 is to preserve Cork’s unique and distinctive landscape character through the appropriate management and enhancement of Key Landscape Assets, (as set out in Table 10.1 which refers to the Lough and ridgelines in the city). Objective 10.6 of the plan is to protect and enhance views and prospects of special amenity value or special interest and contribute to the city’s landscape from inappropriate development, in particular those listed in the development plan, and also to identify and protect views of local significance through local area plans, development briefs or the assessment of development proposals on a case by case basis. Objective 16.4 is that new buildings would enhance the roofscape.
- 5.3.6 Variation No. 5 to the Cork City Development Plan 2015-2021 inserted the following objective 6.5 into the plan:

“Student Accommodation: In accordance with the National Student Accommodation Strategy, the City Council will support the provision of high quality and managed, purpose built student accommodation, on campus, in areas in close proximity to Third Level Institutes and in locations within easy access of public transport corridors and cycle routes serving Third Level Institutes.”

5.3.7 It also inserted section 16.68 into the Development Plan as follows:

“The City Council will support the provision of high quality and managed, purpose built student accommodation, on campus, in areas in close proximity to Third Level Institutes and in locations within easy access of public transport corridors and cycle routes serving Third Level Institutes. Chapter 6 Residential Strategy outlines the City Council’s policy on student accommodation, referring to the national policy set out in the National Student Accommodation Strategy. When assessing planning applications for such developments, the criteria that will be taken into account include:

- *Location and accessibility to Third Level Educational facilities and the proximity to existing or planned public transport corridors and cycle routes;*
- *The scale of development (capacity) and the potential impact on local residential amenities;*
- *The provision of amenity areas and open space, (quality and quantity);*
- *The provision of on-site facilities, including storage facilities, waste management, bicycle facilities, leisure facilities, (retail /café uses), car parking and amenity, (quality and quantity);*
- *The architectural quality of the design having regard to its context, including scale, height, massing, on-site layout and materials. The internal design and layout should be robust and capable of future adaptation and change of use.*
- *Include a Management Plan demonstrating how the scheme will be professionally managed and operated ‘year round’ (term-time and out -of-term periods).*
- *Demonstrate how the scheme positively integrates with receiving environment and the local community and creates a positive and safe living environment for students.*

- *Demonstrate adherence to the Minimum Standards for Purpose Built Student Accommodation as outlined in Table 16.5a.”*

5.3.8 The area to the south of the development site consists of the Lough which is designated as an “*Area of High Landscape Value*”. Paragraphs 10.16-10.18 of the City Development Plan states:

“Areas of High Landscape Value display an intrinsic landscape character and a special amenity value. Development will be appropriate only where it results in a neutral/positive impact on the landscape.”

5.3.9 Section 16.20 of the Plan sets out policy regarding gated developments and states that gated developments are not considered an appropriate development type in the city.

6.0 Forming of the Opinion

6.1 Introduction

6.1.1 Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the Planning Authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide a brief detail on each of these elements hereunder.

6.2 Documentation Submitted

6.2.1 The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, the following:

Cover Letter, Application Form, Consent Letters, Planning Statement, Statement of Consistency including Statement on Traffic, Transportation and DMURS Consistency, Statement of Possible Effects on the Environment, Minutes of Section 247 meeting with Cork City Council, Draft Student Management Plan, Design Statement (including Daylight and Shadow Analysis), Architectural Drawings, Schedule of Accommodation, Draft Landscape and Visual Impact Assessment and Photomontages, Landscape Development Package, Proposed Road Upgrade Layout Plan, Irish Water Confirmation of Feasibility, Engineering Drawings,

Ecological Impact Assessment, Appropriate Assessment Screening, Archaeological and Built Heritage Assessment.

6.2.2 Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the Development Plan or Local Area Plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. This statement has been submitted, as required. Key points from this statement can be summarised as follows:

- The proposed development will assist in meeting the demand for student accommodation projected under the National Student Accommodation Strategy issued in 2017. The quarterly returns published under that strategy indicate that there will still be a shortfall in student accommodation in Cork even if the proposed development was completed. The proposed residential accommodation in Cork would also further objectives 2a, 3b, 8, 13 and 35 of the National Planning Framework.
- The proposed development would be in keeping with SPPR1 of the 2018 guidelines on building height. The location is central and has strong connectivity by public transport and so is suitable for increased height. The submitted landscape and visual impact assessment (LVIA) shows that the proposed development would have no significant negative effects in relation to key local viewpoints. There will be no impacts on nearby ACA's. The proposed development will introduce significant landscaping and open space provision to a site that is currently brownfield in nature and inconsistent with the residential character of the area.
- The block layout creates breaks in the massing of the proposed buildings and ensures a more appropriate scale. The proposed 3 storey dwelling and 5 storey block with the top floor set back onto Bandon Road will produce the necessary variety and modulation in height to prevent excessive massing thereby responding to the scale of nearby developments. Block 5 fronting Bandon Road has been designed to include an angled façade that reflects the historic urban grain of the area. Proposed road and public realm improvements will result in a DMURS compliant streetscape and a safer junction arrangement for

pedestrians, cyclists and motorists and will create an enhanced urban environment. A shadow analysis shows that the amenities of adjoining properties would be protected. The development would not affect ecology, as shown in the submitted assessment. The potential impact of micro climate is considered minimal.

- With regard to the 2015 City Development Plan, the development is consistent with the zoning objective. The ground floor uses along Bandon Road will contribute to activity along the street. The development will provide a stronger and more coherent urban edge to the street. The proposal would comply with section 6.5 of the plan due to its proximity to UCC, the provision of shared study, laundry and amenity space and open space of 6.8m² per bedspace. External amenity space is provided at the rate of 5.5 sq. m. per bed space. The use as tourist accommodation would be restricted to the time outside term in the summer. A management scheme for the site is submitted that would have a staff presence on the site on a 24 hour basis. With regard to development management standards, the proposed studio units are above the minimum of 25m². Individual bedrooms in the scheme are typically 13.5 sq. m., which is larger than the required standard. Kitchen/livings rooms would have more than 4m² per bedspace.

6.2.3 I have reviewed and considered all of the above-mentioned documents and drawings.

6.3 Planning Authority Submission

Cork City Council

6.3.1 In compliance with section 6(4)(b) of the 2016 Act the Planning Authority for the area in which the proposed development is located, Cork City Council, submitted a copy of their section 247 consultations with the prospective applicant and also their opinion in relation to the proposal. These were received by An Bord Pleanála on the 6th of January 2020. The Planning Authority's 'opinion' included the following matters.

- The proposed development site is within walking distance of UCC and the City Centre and is located on a bus route. The principle of student accommodation as a land use is acceptable.
- Access to the scheme via Bandon Road is a gated entrance. Specific planning policy against such an arrangement is set out in the City Development Plan.
- The Board is requested to consider if the applicants justification for the level of cycle parking provision is warranted.
- Notes that the increase in height from that previously permitted is as follows: Block 1: increase of 2.65m; Block 2: increase of 3.15m and Block 4 increase of 2.5m. The Board is requested to make the following considerations in terms of visual impact:
 - On the northern boundary of the site where the proposal fronts onto the Bandon Road, how the proposed block visually integrates with the designated Historic Street Character Area and the local node of this junction.
 - The setting of the Lough and views of its backdrop of the northern ridgeline to be of local significance and special amenity value and interest having particular regard to the designation of these elements as key landscape assets. Questions whether the LVIA fully demonstrates the visual impact of the development on the lough area and how it is experienced locally driving along the Lough Road or walking the amenity paths of the Lough.
- The Board are asked to consider the proposed views as presented in the submitted Design Statement and whether the development successfully integrates into or enhances the character of the area having regard to the topography, its cultural context and setting of key landmarks and protection of key views.
- The Planning Authority has serious concerns about the previous proposal of permitted development under ABP 303437-19. This proposal is for an increased height and a key concern is that the increase height would be severely out of character with the existing built and natural environment, severely negatively impact key landscape assets including the visual setting of the Lough, negatively impact on the legibility of the site, diminish the landmark status of the Church of the Immaculate Conception and result in the loss of key

local views of significance contrary to the stated objectives within the Cork City Development Plan.

- The Board should consider if the proposed increased density of 550 bed spaces in the area will exacerbate the over concentration of student accommodation in this part of the city leading to noise and general disturbance issues that would negatively impact on existing residential amenities. The capacity of the area to accommodate the scale of development from a perspective of social balance should be considered.
- The Board should consider whether the development would have an overbearing impact to adjoining properties, particularly those in Croaghtamore Square, Lough View Terrace and Lough Villas. The applicant should submit a full sunlight and daylight study.
- The City Architect supports the architectural design of the scheme. The most visually prominent element will be the block fronting onto Bandon Road. It offers an interesting street frontage and would be a positive integration into the streetscape. There is however, a concern that the block is excessively high for the established 2 and 3 storey 19th century street space and may require amendment/setbacks. Notwithstanding this, the design approach is welcomed. For the inner blocks of the scheme, the design approach is modern and high quality, clearly legible as a residential development.
- Conservation Officer advises further consideration of the visual impact of the development on the setting of the Church of the Immaculate Conception, the adjoining Greenmount ACA and the Historical Street Character Area. Notes that the elevations may not be consistent with the established architectural rhythm and that reduced height and built of the street elevation could improve the integration of the scheme into the existing historic streetscape.
- Stage 1, 2, 3 and 4 Road Safety Audits will be required, as will a specific Mobility Management Plan. A Construction Traffic Management Plan should be submitted.
- An independent Quality Audit to include a Road Safety Audit, Access Audit, Walking Audit and Cycle Audit should be carried out.
- It is welcomed that the applicant is proposing the use of an enlarged raised table at Denroche's Cross. Insufficient detail has been submitted in terms of

materials, finishes of the shared surface and how the design achieves the objectives of safety and public health.

6.4 Prescribed Bodies

Irish Water (18.12.2019)

- IW confirms that subject to a compliant water and wastewater layout and a valid connection agreement being put in place between Irish Water and the developer, the proposed connection(s) to the Irish Water network(s) can be facilitated.

6.5 Consultation Meeting

6.5.1 A section 5 Consultation meeting took place at the offices of Cork City Council on the 23rd of January 2020. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

6.5.2 The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advanced and contained the following issues:

1. Permitted Development
2. Development strategy, including consideration of the design response to streetscape on Bandon Road, openness and permeability of site and environs and active street frontages/uses.
3. Public realm improvements.
4. Any other matters

6.5.3 In relation to **permitted development**, ABP representatives sought further elaboration/discussion on the principal differences between the previously permitted development and what is now proposed.

6.5.4 In relation to **development strategy**, including consideration of the design response to streetscape on Bandon Road, openness and permeability of site and environs and active street frontages/uses, ABP representatives sought further elaboration/discussion of:

- The proposed amendments to the height of the permitted blocks and the implications of these amendments in terms of visual impact, particularly from

the Lough as well as the design, treatment and finishes proposed for the additional floors.

- The need for the proposed additional height to be clearly indicated on the architectural drawings.
- The integration of the new block (block 5) facing Bandon Road in terms of the appropriateness of the scale and mass of this element of the scheme. Further clarification sought as to how this block would integrate successfully with the Bandon Road having regard to its specific designation as a Historic Street Character Area.
- The appropriateness of the gated entrance and potential permeability through the site.

6.5.5 In relation to **public realm**, ABP representatives sought further elaboration/discussion of:

- The treatment of the public realm along the Bandon Road and the requirement to cater for the likely intensification of use arising from the development.
- The need to ensure that the optimal solution in terms of the public realm is achieved having regard to the significance of the intervention of the development in the streetscape.
- The interface of the new block with the public realm and active ground floor uses.
- The potential for permeability and connections through the site.
- The design and treatment of the new shared surface and requirements of Cork City Council.

6.5.6 In relation to **other matters** ABP representatives sought further elaboration/discussion of:

- The adequacy of the cycle parking provision and the potential for a commercial bicycle station.
- Signage strategy.
- Public art installation and the need for clarity on this issue at application stage.
- Social integration and the need for the student management plan to address this matter as well as issues such as noise, litter, parking, economic benefits and community activism.

6.5.7 Both the prospective applicant and the Planning Authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 306048' which is on file. I have fully considered the responses and comments of the prospective applicant and Planning Authority in preparing the Recommended Opinion hereunder.

7.0 Conclusion and Recommendation

7.1 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the Planning Authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

7.2 Having regard to all of the above, I recommend that **further consideration and/or possible amendment of the documents** submitted are required at application stage in respect of the following elements:

- Development Strategy, with particular regard to the architectural approach of the block fronting the Bandon Road (Block 5).

details of which are set out in the Recommended Opinion below.

7.3 Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

7.4 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a prescribed body (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 **Recommended Opinion**

- 8.1 An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 8.2 Following consideration of the issues raised during the consultation process, and having regard to the opinion of the Planning Authority, An Bord Pleanála is of the opinion that the documentation submitted requires **further consideration and amendment** to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.
- 8.3 In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Development Strategy

Further consideration and/or justification of the documents as they relate to the development strategy for the site in respect of:

- The design response of the block fronting onto the Bandon Road (Block 5) particularly in the context of the location of the site within a Historical Street Character Area. Further documentation /consideration is required to demonstrate that the architectural approach is the optimal solution for the site in terms of the scale, massing and materiality of this block.
- The interface between this new block and the public realm to ensure satisfactory pedestrian and cyclist movements as well as potential permeability through the site.
- Further consideration should also be given to the disposition, design, treatment and finishes of the additional floors proposed on the remaining blocks.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

- 8.4 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:
1. A detailed visual impact assessment that comprises a photomontage report with key viewpoints from locations in the vicinity of the site. This should include additional viewpoints from the Lough Road, Greenmount ACA and the Church of the Immaculate Conception. An accompanying architectural report should outline the design rationale for the proposed increased height, scale and mass of the buildings and the architectural drawings should clearly reference the heights of the permitted scheme and the proposed amendments.
 2. A report that addresses issues of residential amenity (both existing residents and future occupants), specifically how the proposed increases in height will limit the potential for overlooking and overshadowing. The report should include full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units. Contextual elevations should be provided where appropriate, particularly along the Bandon Road. A full sunlight and daylight analysis should be provided.
 3. A report that addresses the demand for and concentration of student accommodation in the area, having regard to the proposed increased number of units.
 4. The preparation of a public realm design report prepared in accordance with the guidance provided by DMURS.
 5. Landscaping proposals including an overall landscaping masterplan for the development site. Details pertaining to the quantity, type and location of all proposed hard and soft landscaping including details of street furniture including public lighting and boundary treatments should be submitted.

5. A detailed Quality Audit to include Road Safety Audit, Access Audit, Cycle Audit and Walking Audit. A Mobility Management Plan.

8.5 Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water

PLEASE NOTE:

8.6 Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Erika Casey

Senior Planning Inspector

3rd February 2020