



An
Bord
Pleanála

Inspector's Report

ABP-321978-25

Development

LRD: Demolition of the former Saint Joseph's Convent and construction of 408 student accommodation bedspaces in two apartment buildings of two to five storeys in height, a café and all ancillary site development works.

Location

Former Saint Joseph's Convent, Model Farm Road, Cork

Website:

www.stjosephslrd2.ie.

Planning Authority

Cork City Council

Planning Authority Reg. Ref.

2443455

Applicant

Lyonshall Limited

Type of Application

Large-Scale Residential Development

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellants

Paul Desmond
Gerard O'Mahony

Woodlawn Residents Association
Rosaleen O'Connor
Breda O'Driscoll and others
Killian and Stephanie Kelly
Coleman Byrne and Anne Harney
Dan and Ann Byrne
Merton MFR Management Company
Vailima Management Company

Observations

Siobhan Brennan
Padraig McCarthy and Penny
Huggard

Date of Site Inspection

15th April 2025

Inspector

John Duffy

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	5
3.0 Planning Authority Pre-Application Opinion	6
4.0 Planning Authority Decision	8
5.0 Planning History	13
6.0 Policy Context	16
7.0 The Appeals	24
8.0 Assessment	40
9.0 Appropriate Assessment (AA)	84
10.0 Environmental Impact Assessment (EIA)	85
11.0 Recommendation.....	87
12.0 Reasons & Considerations	86
13.0 Recommended Draft Order	88
14.0 Conditions	91
Appendix 1: Screening for Appropriate Assessment	101
Appendix 2: Form 1 - EIA Pre-Screening	106
Appendix 3: EIA Screening Determination Form	108
Appendix 4: WFD Screening	118

1.0 Site Location and Description

- 1.1. The subject site measuring 0.8 hectares comprises an area of land located on the southern side of the R608 / Model Farm Road, approximately 3.4 km to the south west of Cork City Centre and approximately 280 m west of Dennehy's Cross. The R608 is a key artery linking Ballincollig to Cork city centre. The appeal site comprises two distinct parts. The northern portion accommodates the former St. Joseph's Convent, a single and two storey building with associated grounds, set back from the R608, previously in use as a nursing home / convent. The southern portion of the site, which is accessed through a right of way from the adjoining Lee Garage / service station site to the west, is at a higher level than the northern portion, and has a hardstanding surface. This part of the site is vacant and was previously in the ownership of the adjoining service station.
- 1.2. The site is located in an urbanised location where the predominant land-use is residential. The mature low-rise housing developments of Laburnum Lawn and Woodlawn adjoin the subject lands to the south and east respectively. Laburnum House B&B, a detached two storey property, also adjoins the site to the east. Opposite the subject lands on the northern side of the R608 there are two new residential developments. Vailima is a gated development comprising seven detached houses, while Merton which is nearing completion, comprises 18 units made up of two storey houses with attic accommodation and a small number of duplexes and apartments. The Church of the Descent of the Holy Spirit, a Protected Structure (PS958) and a landmark building is located approximately 120 m east of the subject lands. Further east at Dennehy's Cross there are a range of local services available including retail and restaurant outlets.
- 1.3. UCC is located approximately 1.4 km from the site, while MTU is approximately 1.8 km away. There is an existing bus stop proximate to the site entrance. Bus Eireann routes serving this area are as follows: 201 (serving Cork University Hospital to Boherboy Road via Holyhill), 205 (serving MTU to Kent Station via College Road), 220 and 220X (serving Ovens to Fort Camden via Carrigaline), and 233 (serving Cork to Macroom via Ballincollig). Routes 205 and 220 provide services every 15 minutes (approximately) during daytime hours.

2.0 Proposed Development

2.1. The proposal, as per the submitted public notices, comprises the demolition of the former convent (approximately 991 sqm), construction of a 408 bed purpose-built student accommodation (PBSA) development, a café (80 sqm), and all ancillary works. The proposed development will be provided in two apartment blocks of 2-5 storey design, served by external open space, internal student amenities, bin stores, bike stores / bike parking, an ESB substation and switch room in Block C (of single storey design) located along the western site boundary. A tank room and a plant room are proposed at basement level in Block B. The proposed internal amenity spaces comprise a café, gym, lounge and library / study area in Block A, and a lounge and study area in Block B.

2.2. The following Table set out some key elements of the proposed development:

Table 1: Key Figures

Site Area	0.8 hectares
Density	128 units per hectare (uph)
Site Coverage	46.3%
No. of Bedspace Units	
Block A	146 Bedspaces
Block B	262 Bedspaces
Total	408 Bedspaces (41 are accessible)
Apartments / Clusters (Groups of Bedspace units are served by a Kitchen/ Living / Dining Cluster) and Studios	
Block A	73 Studios and 14 Clusters (serve between 3 and 7 bed clusters).
Block B	43 Clusters (serve between 3 and 7 bed clusters).

Total	73 studios (each with 1 bed space) and 57 Clusters (comprising 335 bed spaces). 408 Bedspaces
Building Height Block A Block B Block C	2 - 5 storeys 2 - 5 storeys Single storey
Total Gross Floor Area Block A Block B Block C Total	5394.8 sqm 7303.1 sqm 113 sqm (predominantly plant) 12,810.9
Amenity Space Provision Internal External Total	718.6 sqm and 1.7 sqm per student 2335.5 sqm and 5.7 sqm per student 3054.1 sqm and 7.4 sqm per student
Car Parking –	4 consisting of: 3 Accessible spaces 1 employee space
Bicycle Parking – Total	204 (resident) 18 (visitor) 222

3.0 Planning Authority Pre-Application Opinion

- 3.1. An LRD Meeting took place on the 19th of September 2024, between representatives of the applicant and the planning authority (Cork City Council). The planning authority issued an opinion, dated the 17th of October 2024, stating ‘that the documentation submitted requires further consideration and amendment to constitute a reasonable basis on which to make an application for permission for the proposed LRD.’

3.2. The applicant was notified, in accordance with Section 32D of the Planning and Development Act 2000 as amended, of the issues / areas to be addressed in the documentation to be submitted with any future planning application, as follows:

- Design – Further consideration of, and amendment to the development in terms of its visual impact and impact of visual overbearance of houses in Woodlawn to address the concerns / comments of the City Architect's Section in addition to proposals to screen plant when viewed from residential areas and / or relocation of plant.
- BusConnects – Further consideration and amendment to the development to take account of the BusConnects proposals for the area.
- Transportation Matters – Further consideration and amendment of the development in the areas of road safety auditing, pedestrian provision along development frontage and connectivity across Model Farm Road.

The applicant was also advised to provide a range of specific information with the planning application including, inter alia, revised and updated photomontages to consider any alterations to the proposed design, an updated Daylight and Shadow Study, an updated Landscape Masterplan, an up to date Student Accommodation Demand and Concentration Report, along with proposals to address matters raised in both internal and external reports.

3.3. The applicant has responded to each of these issues in the 'Response to Council Opinion' document, submitted in support of the application. The following responses, in summary, are made:

- The height of the scheme has been reduced and set backs from Woodlawn have been increased in addition to reductions in window size. The scheme presents a series of gables to the houses to the east and south; facades with openings are set further back. Gables are blank at upper levels with the exception of high level windows into some proposed living rooms. Massing of the proposed development is stepped further back from the boundary with Woodlawn. Gaps are introduced between roofscape elements to further mitigate the visual impact of the proposed development as seen from Woodlawn. Rooftop plant is relocated to the far side of the building to ensure no impact on visual amenity.

- The proposed development has been amended to ensure it does not conflict with the BusConnects proposal at this location. The site layout plan and landscape drawings refer in this regard.
- An updated Road Safety Audit is provided, with all issues raised now resolved. It is noted that BusConnects proposes a pedestrian crossing adjacent to the proposed café. As such, no additional pedestrian crossing is being proposed as to do so could impede the delivery of BusConnects at this location. It is confirmed that the proposed development is DMURS compliant as assessed in the submitted DMURS Compliance Statement.
- Revised architectural drawings are provided to take account of changes made on foot of the items raised by the planning authority. Furthermore, updated information including, inter alia, a Daylight and Shadow Study, a Landscape Masterplan, a Student Accommodation Demand and Concentration Report, a revised schedule of accommodation, a Construction and Demolition Management Plan, an Operational Waste Management Plan and Autotrack drawing are all provided.

4.0 Planning Authority Decision

4.1. Decision

On the 5th of February 2025 the planning authority decided to grant permission subject to 33 conditions. These conditions are generally standard though I note the following, which I have summarised:

Condition no. 2: Revised drawings to be provided showing omission of the 3 bed cluster unit located on the fifth storey to the north of Block B and its replacement with either a studio unit or the alteration of the 6 bed cluster to a 7 bed cluster, in the interests of visual and residential amenity.

Condition no. 3: Proposed development to be used for student accommodation or accommodation relating to a higher education institute or tourist / visitor accommodation only during academic holiday periods. It shall not be used for as permanent residential accommodation, as a hotel, hostel, aparthotel or similar use without a prior grant of permission.

Condition no. 5(a): Café unit shall not be used as a hot food / fast-food takeaway outlet.

Condition no. 9: Submit and agree details to the local authority regarding the design to reduce the junction corner radii of Woodlawn / Model Farm Road. All cost to be borne by the applicant.

Condition no. 26: Existing bus stop to be retained outside the proposed development and reinstated to include Kassel kerbing, bus cage and bus shelter.

4.2. Planning Authority Reports

4.2.1. Planning Reports

The report of the Area Planner reflects the decision to grant permission for this development.

The report of the Senior Planner endorses the Area Planner's report.

4.2.2. Other Technical Reports

- Drainage Division: No objection subject to conditions.
- Parks and Recreation: No objection subject to conditions.
- Architects Department: No objection. Notes that changes implemented on foot of advice provided in the Opinion Report results in a more considered and coherent edge to the Woodlawn neighbourhood, with reduced visual impact.
- Conservation Officer: No objection recorded. Notes that the design changes made to Block A in this current application, including omission of the fifth storey, responds to previous concerns regarding likely impacts to the Church of the Descent of the Holy Spirit. It is concluded that this alteration to the previous scheme would result in a more positive outcome in this regard.
- Urban Roads and Streets Design: No objection subject to conditions.
- Infrastructure Development: No objection.
- Environment: No objection subject to conditions.
- Traffic Regulation and Safety: No objection subject to conditions.
- Contributions Section: Grant of permission recommended subject to condition.

4.2.3. Prescribed Bodies

The planning authority invited the following bodies to comment on the planning application: National Transport Authority (NTA), Dublin Airport Authority (DAA), Uisce Éireann (UÉ), Transport Infrastructure Ireland (TII), Irish Aviation Authority (IAA), Inland Fisheries Ireland (IFI) and the Health and Safety Authority (HSA). Comments were received from the following prescribed bodies:

- IFI: Requests that UÉ and the local authority signify that sufficient wastewater capacity exists to facilitate the proposed development.
- UÉ: No objection in principle. Notes that Confirmation of Feasibility (COF) issued to the applicant advising that water / wastewater connections are feasible without infrastructure upgrades. Notes also that an updated Statement of Design Acceptance was issued for the proposed development.
- TII: Requests Council has regard to provisions of Chapter 3 of the Spatial Planning and National Roads – Guidelines for Planning Authorities (2012) (DECLG).
- HSA: No observations to make.
- DAA: No comment other than recommending consultation with IAA and Air Nav Ireland.

4.2.4. Third Party Observations

A large number of third party observations were received, predominantly from residents in the area and also from groups including the Woodlawn Residents Association, the Merton MFR Management Company and the Vailima Management Company. The main issues raised are summarised below and they are grouped under appropriate headings as follows:

Principle of Development:

- The development would be contrary to the ZO 1 'Sustainable Residential Neighbourhoods' zoning that applies to the site.
- Proposal contravenes several Development Plan objectives including Objective 2.17 and SO9 relating to placemaking and neighbourhood design.
- Proposal contrary to Objective 33 of the NPF.
- Absence of an action plan in relation to Neighbourhood Site No. 9.

- Higher densities should be considered only in accessible locations. In this regard, BusConnects is not yet implemented.
- Proposed development inconsistent with Objectives 3.8 and 11.6 of the Development Plan.
- Concern that the use, providing for a transient population will negatively impact the area.
- Over-intensification of student apartments in the area.
- Concern that the rear of the subject site could potentially be linked to other site for use as student accommodation.

Impact on the Character of the Area:

- The design, scale and density of the development is out of character with the established low-rise form of development in the area.

Impact on Residential Amenity:

- Excessive height of 5 storeys above maximum heights for the area outlined in the Development Plan.
- Visually overbearing proposal.
- Overlooking impacts leading to a loss of privacy.
- Overshadowing impacts arise from the proposed development.
- Results of impacts in Daylight report are questioned.
- Proposed development will result in the devaluation of property in the area.
- Noise impacts from the proposed development.
- Noise report is flawed as noise from students not assessed.
- Impacts from lighting scheme within the development.
- Inadequate amenity space to serve the proposed development.
- High number of minimally sized studio apartments proposed.
- Strong disagreement with findings of the Visual Impact Assessment (VIA).
- Anti-social behaviour concerns regarding potential future access point at Woodlawn.
- Proposal would result in influx of students into this area. Recent permission for PBSA at Victoria Cross Road is referenced.

- Loss of views to the Church.
- Tourist / short-term summer letting at odds with suburban family profile of this area.
- Existing anti-social behaviour of students in the area.
- Concerns that privately maintained green area would potentially be used for anti-social behaviour.
- Loss of views of hills from Laburnum Lawn.
- No VIA from rear gardens of adjoining residential units.

Transport issues:

- Lack of car parking to serve the proposed development.
- Potential for traffic congestion / road safety hazard.
- Lack of set-down facilities.
- Bus service in the area is unreliable.
- Lack of cycle lane infrastructure.
- Air pollution impacts from traffic.
- Traffic impacts during summer when units let out to tourists.
- Mobility Management Plan underestimates traffic movements.
- Queries where construction workers would park.

Other:

- Little difference between current and previous proposals.
- Planning authority not bound by previous An Bord Pleanála decision on the site.
- Cork City Development Plan has not been varied to include revised densities as set out in the Compact Settlement Guidelines.
- Need for houses rather than additional student accommodation.
- Proposed development will severely impact the existing balance in the community.
- Affordability of student accommodation a key issue. Availability in more expensive schemes.
- Inadequate site servicing facilities.
- Inaccurate drawings of site relative to rear garden of 19 Woodlawn and 11 Laburnum Lawn.

- Heavy reliance on surface water infiltration; infiltration rates appear to be based on insufficient testing.
- Impact on wildlife in the area including bats.
- Concerns raised regarding impacts on habitats at Cork Harbour
- Inaccurate drawings provided in respect of existing and proposed trees.
- Concerns regarding future phases and / or additional heights in the future.
- Potential flooding and sewage contamination of water supply.
- Inaccurate address used in public notices.
- Loss of existing vegetation.
- Subsidence issues in the area. Concern regarding excavation and from piling.
- Inaccurate distances between the proposed development and 17 Laburnum Lawn.

I note that two submissions were submitted on behalf of the applicant refuting assertions made in the context of third party submissions that there is an oversupply of PBSA. One of these submissions includes a letter to the applicant from UCC's Director of Buildings and Estates, dated 4th March 2024, confirming the demand for safe, affordable, high quality and well managed student accommodation within easy reach of UCC.

5.0 Planning History

The planning authority report outlines a detailed planning history; I have provided the most relevant below.

Subject site

ABP-319190-24 / Planning Authority Ref. 4051/21 refers to a June 2024 decision to refuse permission for a Large scale residential development (LRD) on the subject site, comprising the demolition of former convent and the construction of a 450 bedspace purpose-built Student Accommodation development in 3 no. apartment blocks ranging in height from 2-5 storeys and all associated site works on the subject site. The development would comprise 42 apartments ranging in size from 3-6 bedrooms (226 bedspaces) and 224 studio apartments.

The Board refused permission for one reason, citing the quantity of studio units, the

floor area of individual studio units, the limited communal facilities and their location in Block A only, the failure to provide a satisfactory standard of residential amenity for the student population, and failure to comply with Objective 11.6 (e), (f) and (g) of the Cork City Development Plan 2022-2028. These sub-sections of Objective 11.6 relate respectively to inclusion of ancillary uses in locations not served by convenient services, quantitative standards set out in national guidelines for student accommodation, and provision of internal communal facilities to meet the needs of the development.

The Board Order notes that the Board did not agree with the Inspector's view regarding the following matters, which are summarised as follows:

1. In terms of calculation of density, the Board had regard to footnote 3 in section 3.2.1 of the Sustainable Residential Compact Settlement Guidelines 2024 and calculated a density of 141 dph. It considered that the residential density of the proposed development is within the residential densities for City-Urban Neighbourhoods and City-Suburban / Urban Extension provided in the aforementioned Guidelines.
2. The Board did not agree with the Inspector that the proposed development failed to comply with the provisions of the Building Height Strategy in the Development Plan. It considered that the heights of the proposed buildings in the context of their finished levels relative to existing buildings in the surrounding area are not excessive. The Board further noted the applicant's proposals to omit the fifth storey of Block A along Model Farm Road and considered this to be appropriate.
3. The Board did not agree with the Inspector's view that the proposed development would cause undue overbearance and overshadowing of adjacent properties and considered that the degree of overbearing and overshadowing in this City location was acceptable. The applicant's proposal to amend the eastern elevation of Block B from four to three storeys was also noted and considered to be appropriate.

West of the Appeal Site

ABP 314952-22 / Planning Authority Ref. R74022 refers to a September 2023 decision that a proposed change of use from a premises for the sale and display of motor vehicles

to use as a shop at Lee Garage, Model Farm Road is development and is exempted development.

ABP 313906-22 / Planning Authority Ref. 21/40518 refers to a September 2023 grant of permission for the demolition of existing shop and change of use of part existing show room to new shop at Lee Garage, Model Farm Road.

Site located approximately 220 m east of subject site

ABP-319766-24 / Planning Authority Ref. 2341980 is a current appeal against the decision of Cork City Council to grant permission for partial change of use from commercial to residential, demolition of former garage, preservation of existing 20th century structure on site for use as a food store, construction of 30 apartment units and all associated site works.

Student Accommodation Schemes

ABP 314277-22 (c.442 m to the northeast of the site) refers to a SHD application in which permission was granted in September 2024 for the demolition of existing buildings on site, construction of 206 no. student bedspaces at the Former Finbarr Galvin Motor Dealership, Fronting on to Victoria Cross Road and Orchard Road, Bishopstown, Cork.

ABP - 316101-23, Planning Authority Ref. 2241677 (c.1.5 km to the southwest of the site) refers to a July 2023 decision to grant permission for 205 no. bedspace student accommodation at Rossa Avenue, Bishopstown, Cork.

ABP 310105-21 (c.600 m to the northeast of the site) relates to a SHD application in which permission was granted in August 2021 for the demolition of existing structures and construction of 243 no. bedspaces at Kelleher's Auto Centre, Wilton Road, Victoria Cross, Bishopstown, Cork.

ABP 307096-20 (c.1.6 km to the east of the site) relates to a SHD application in which permission was granted in August 2020 for the alteration and extension of previously permitted ABP-303437-19 for the demolition of existing structure and provision of 554 no. student bed spaces at O'Riordan's Joinery, Bandon Road, a portion of the Church

of the Immaculate Conception, Lough Road, 74 Bandon Road and nos. 1 and 2 Ardnacarrig, Bandon Road, Cork.

6.0 Policy Context

6.1. National Policy

6.1.1. Revised National Planning Framework (NPF)

The First Revision of the NPF was recently approved by the Houses of the Oireachtas following the decision of Government on 8th April 2025 to approve the Final Revised NPF.

Chapter 2 of the First Revision of the NPF is entitled ‘A New Way Forward.’ Relevant National Policy Objectives (NPOs) include:

NPO 4: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

NPO 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

NPO 8: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.’

Chapter 4 is entitled ‘Making Stronger Urban Places’ and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- NPO 12 seeks to ‘Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’.
- NPO 20 provides that ‘In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.’

Chapter 6 'People, Homes and Communities' sets out that place is intrinsic to achieving a good quality of life. Section 6.6 'Housing' makes reference to student accommodation as follows:

'Demand for student accommodation exacerbates the demand pressures on the available supply of rental accommodation in urban areas in particular. In the years ahead, student accommodation pressures are anticipated to increase. The location of purpose-built student accommodation needs to be as proximate as possible to the centre of education, as well as being connected to accessible infrastructure such as walking, cycling and public transport. Student accommodation also contributes to the financial, cultural and social fabric of regions, cities and towns. The adaptive reuse of existing buildings and brownfield sites for student accommodation can assist with the reduction of vacancy and dereliction, thereby promoting vitality and vibrancy in settlements, in support of Town Centre First principles. The National Student Accommodation Strategy supports these objectives.'

A number of key policy objectives in Chapter 6 are noted as follows:

- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- NPO 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.
- NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development

6.1.2. **Section 28 Ministerial Guidelines**

The following Section 28 - Ministerial Guidelines are considered of relevance to the proposed development.

• Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024). Relevant policies include:

Section 3.2: Notes that when calculating net densities for shared accommodation, such as student housing, four bed spaces shall be the equivalent of one dwelling.

Section 3.3: Includes Table 3.1 defining categories of urban areas within Cork City. 'City – Urban Neighbourhoods' comprises four types of urban areas, sub-items (i)-(iv), compact medium density residential neighbourhoods around the City Centre, strategic and sustainable development locations, town centres designated in a statutory development plan, and lands around existing or planned high-capacity public transport nodes or interchanges.

Section 3.4: Outlines a two-step density refining process of the City category, based firstly on a determination of accessibility (as per definitions in Table 3.8) and secondly on five site-specific criteria (impacts on character, historic environment, protected habitats and species, daylight/ sunlight of residential properties, and water services capacity).

Section 5.3: Includes SPPrs 1-4 on separation distances, private open space, car and cycle parking, and policy on open space and daylight. As student housing is a form of shared accommodation, these residential standards are not directly applicable.

• Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018).

• Architectural Heritage Protection, Guidelines for Planning Authorities, 2011 (Architectural Heritage Guidelines). Relevant sections include:

Section 13.8.2 notes that new development, both adjacent to and at a distance from, can affect the character and special interest of a protected structure and impact on it in a variety of ways. A new development could have an impact even when it is detached from the protected structure due to its being visible in an important view of or from the protected structure.

Section 13.8.3 advises that the extent of the impact of a proposal will depend on the location of the new works, the character and quality of the protected structure, its designed landscape and its setting. Large buildings, sometimes at a considerable distance, can alter views to or from the protected structure, thus affecting their character.

Proposals should not have an adverse effect on the special interest of the protected structure.

6.1.3 Climate Action Plan 2025

The 2025 Climate Action Plan builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

The 2025 Plan provides a roadmap to deliver on Ireland's climate ambition. It seeks for the continued cross-organisational cooperation which will help to deliver Ireland's climate goals and improved monitoring and reporting structures (a lower number of high impact actions) should help streamline the reporting process and make it easier to identify challenges as they arise

6.1.4 National Biodiversity Plan 2023-2030

The National Biodiversity Plan sets the national biodiversity agenda for the period 2023-2030. The plan strives for a "whole of government, whole of society" approach to the governance and conservation of biodiversity. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to "act for nature".

The plan identifies 5 objectives as follows:

1. Adopt a Whole-of Government Whole-of-Society Approach to Biodiversity;
2. Meet Urgent Conservation and Restoration Needs;
3. Secure Nature's Contribution to People
4. Enhance the Evidence Base for Action on Biodiversity; and
5. Strengthen Ireland's Contribution to International Biodiversity Initiatives.

6.1.5 Other Relevant Policy Documents include:

- National Student Accommodation Strategy 2017 (DHPLG). This plan emphasises the need to increase the supply of purpose-built student accommodation (PBSA) to

meet the existing and increasing housing demand from both domestic and international students attending the country's Higher Education Institutions, and thereby also reducing the demand from students for accommodation in the private rental sector. The NSAS identifies that the demand for PBSA currently outstrips supply and predicts this trend will continue to 2024. It is noteworthy that in the Cork area the NSAS estimates that by 2024 the supply of PBSA will be 5,490 bedspaces and the demand will be for 7,391 bedspaces, thereby representing a shortfall in provision of some 1,901 bedspaces.

- Permeability Best Practice Guide – National Transport Authority.
- Guidelines on Residential Developments for 3rd Level Students, 1999 – Department of Education and Science.
- Matters Arising on the Guidelines on Residential Development for Third Level Students (amendment document).

The latter two documents provide guidance on site planning requirements, and specific requirements on the residential accommodation (arrangement, floor areas), communal facilities and amenities (types, floor areas, design), and internal design and layout.

6.2. Local / County Policy

6.2.1. Cork City Development Plan 2022 - 2028

6.2.2. The Cork City Development Plan 2022 - 2028 is the current statutory plan for Cork City, including the subject site.

6.2.3. Zoning Objective Map 8 indicates that the subject site is subject to the ZO 1 'Sustainable Residential Neighbourhoods' zoning objective which seeks 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.'

6.2.4. Policy ZO 1.1 – Main objective of ZO 1 is the provision and protection of residential uses and residential amenity.

6.2.5. Policy ZO 1.2 – Development in ZO 1 should generally respect the character and scale of the neighbourhood in which it is situated and developments, where the primary objective of this zone is not supported, will be resisted.

- 6.2.6. In terms of density and building heights (and as identified on the Density and Building Heights Map 8), the majority of the site is designated as 'Outer Suburbs', while its south-eastern corner is designated as 'Inner Urban Suburbs.'
- 6.2.7. The southern portion of the site is included in 'Neighbourhood Development Site 9,' with potential indicated for delivery of a minimum of 75 homes.
- 6.2.8. The site adjoins the route of the Ballincollig to City Centre Core Bus Corridor 6 which runs along the R608 proximate to the northern boundary of the site.
- 6.2.9. The Church of the Descent of the Holy Spirit at Dennehy's Cross is located approximately 120 m west of the appeal site. It is designated as Protected Structure No. PS958 and as Local Landmark Building No. 9 (Table 3, Part 4: Linear Views of CDP Vol 3).
- 6.2.10. The policy chapters, particularly Chapter 3 – Delivering Homes and Communities, Chapter 6 – Green and Blue Infrastructure, Open Space and Diversity, Chapter 11 – Placemaking and Managing Development are relevant to the proposed development.
- 6.2.11. Relevant sections / policy in **Chapter 3** is as follows:

Paragraph 3.38 and Table 3.6 – the CDP's Housing Strategy updates the NSAS targets for Cork City and projects a total of 2,630 bedspaces required for the remaining CDP period 2024-2028. Of this remaining total, 450 bedspaces could be provided by the private sector up until 2028.

Paragraph 3.42 – PBSA should be developed to the highest standards and incorporate cluster flats, studios, and disability flats with size variations.

Paragraph 3.43 – PBSA should provide adequate functional living space and layouts, including shared communal external and internal spaces.

Paragraph 3.44 – In considering planning applications for student accommodation in Cork city, section 3.44 of the Development Plan refers to the need to have regard to the provisions of the National Student Accommodation Strategy, which features requirements with respect to the supply and demand of student accommodation in locations such as Cork city.

Objective 3.5 Residential Density – higher densities to be achieved in accordance with the Cork City Density Strategy, Building Height and Tall Building Study whilst ensuring a balance between protecting the established character of the surrounding

area and existing residential amenities, creating successful integrated neighbourhoods, and achieving high quality architectural, urban and public realm design.

Objective 3.8 Purpose-Built Student Accommodation – student housing demands are to be met providing that the PBSA is accessible by walking, cycling or public transport to higher-level education campuses and ideally at location in the City Centre, City Docks, urban centres and mixed use redevelopment schemes of brownfield sites, contributes to a mixed and inclusive neighbourhood, are of a high quality and meet the needs of students.

6.2.12. Relevant sections / policy in **Chapter 6** is as follows:

Paragraphs 6.27, 6.28, and 6.30 View Management Framework – the development management process will be used to protect specific views and prospects which are not otherwise protected by CDP objectives. These include 'linear views to landmark buildings', both strategic and local. Local landmark buildings are important within the City's neighbourhoods due to their local visual prominence, and important linear views to these buildings need to be considered.

Objective 6.14 Cork City View Management Framework – protect linear views, ensure that development proposals do not have an undue detrimental impact on these views, and consider local landmark buildings in the scoping of views to identify the potential impacts of development proposals.

6.2.13. Relevant sections / policy in **Chapter 11** is as follows:

Paragraph 11.28 Building Height – building height strategy is contained in Table 11.1 and will be applied in assessing development proposals (site is located in the Outer Suburbs (majority) and Inner Urban Suburbs (minority) with target heights of 2-4 storeys and 3-4 storeys respectively).

Paragraph 11.44 Tall Buildings – five locations in the City are identified as suitable for tall buildings including the City Centre, City Docks, Mahon, Blackpool and Wilton.

Paragraph 11.45 Definition of a Tall Building – proposed buildings which are equal to or more than twice the height of the prevailing building height (site is defined as having a prevailing height of 2-3 storeys).

Paragraph 11.51 Tall Building Locations – only suitable in locations identified in the CDP, as tall buildings outside of these locations are not generally considered appropriate due to their being in conflict with the overall building height strategy for Cork.

Paragraph 11.72 Residential Density – Table 11.2 indicates a density range of 40-60 for Outer Suburbs and 50-100 dph for the Inner Urban Suburb. Density targets and prevailing character are to be the key measures in determining site-specific density.

Paragraph 11.81 – PBSA will be provided in locations outlined for same in Chapter 3.

Paragraph 11.125 – PBSA will be provided in accordance with targets and general locations in Chapter 3.

Objective 11.6 Purpose-Built Student Accommodation – will be assessed against criteria including: consistency with zoning, provision of adequate communal open space, HNDA targets not undermined by the quantum of bedspaces, avoidance of a disproportionate number of student residents in a neighbourhood, inclusion of ancillary uses at ground floor level in locations where these do not exist, achievement of quantitative standards in the Student Accommodation Guidelines, provision of sufficient internal communal facilities for the scale of the proposal, provision of ancillary facilities to meet needs of proposal, design of the proposal so as to minimise impacts on surrounding area, provision of specified number of bedspace for disabled students, provision of a Facility Management Plan, and provision of Building Adaptation to Alternative Use Strategy demonstrating design of proposal allows for future adaptation.

Car and Bicycle Parking, Paragraph 11.234, Table 11.3 and Table 11.4 – site in Zone 2 (area served by BusConnects, most of city suburbs), standards applicable for student housing include 1 car parking space per 20 bedspaces and 0.5 cycle spaces per bedspace.

6.2.14 Cork Metropolitan Area Transport Strategy 2040

The Cork Metropolitan Area Transport Strategy (CMATS) published in 2020 supports the delivery of 2040 population growth targets for the Cork metropolitan area, providing an opportunity to integrate new development at appropriate densities with high-capacity public transport infrastructure, in conjunction with more attractive walking and cycling networks, as well as associated public realm improvements. A future BusConnects route with priority measures and a light-rail transit (LRT) route with stops at County Hall

and Dennehy's Cross are identified in the strategy. The strategy identifies the short term need to protect the alignment of the LRT scheme through development consolidation along the identified corridor, as well as the interim need to implement a high-frequency bus service route and bus corridor priority measures along the alignment of the LRT scheme.

6.2.15 The Emerging Preferred Route (EPR) for a new Luas service in Cork is presently the subject of public consultation (until 9th of June 2025). It is proposed that the route will stretch from Ballincollig to Mahon Point and would stop at 25 locations including at MTU, CUH and UCC. In closest stop in terms of the appeal site is at Dennehy's Cross (approximately 280 m to the east).

6.3. **Natural Heritage Designations**

The appeal site is not located in or immediately adjacent to a European site, a Natural Heritage Area (NHA) or a proposed NHA (pNHA). Designated areas proximate to the appeal site are as follows:

- Cork Lough pNHA (001081) is c.1.5 km to the east.
- Cork Harbour SPA (004030) is c.5 km to the east.
- Great Island Channel SAC (001058) is c.11.8 km to the east.

7.0 **The Appeals**

7.1. 10 third party appeals have been made against the decision of Cork City Council to grant permission for the proposed development. The appeals are submitted from Woodlawn Residents Association, Merton MFR Management Company, Vailima Management Company and other members of the public who reside in adjoining and nearby residential areas. The appeal received from Woodlawn Residents Association included a request to hold an oral hearing in respect of the proposal. It was considered however that the case could be determined without the holding of a hearing and all parties were duly notified of this decision. The appeals generally attach copies of the third-party observations submitted to the planning authority. I have summarised the main points of the appeals under relevant headings as follows:

Site zoning / designations / Development Plan

- Proposal contravenes the expectation that the southern part of the site (designated as Neighbourhood Development Site No. 9) is to provide for 75 permanent homes rather than temporary dwellings to be used by students.
- Proposal contravenes Objective 2.17 of the Development Plan relating to Neighbourhood Design. In this regard it is considered that the proposed development comprising student accommodation may affect community cohesion.
- Proposal materially contravenes Objective 11.6 of the Development Plan on the basis that there would be an over-concentration of student accommodation in the area, that the proposal involves provision of poor quality internal living spaces and external amenity spaces that will not receive adequate sunlight. Further, there is a failure to plan for future adaptability.
- Level of bedspace provision is excessive with reference made to Objective 11.6(c) of the Development Plan.
- Deficiency in quantity and quality of usable open spaces.
- Proposal contravenes Objective 3.8 of the Development Plan relating to PBSA.
- Proposal materially contravenes the zoning objective for the site and fails to comply with associated objectives ZO 1.1 and ZO 1.2.
- Proposed development contravenes the City Development Plan's building height strategy and density.

Density of development

- Excessive and inappropriate density of development.
- Proposal materially contravenes the Residential Density Strategy of the Development Plan.
- The City Council saw no need to vary the City Development Plan to alter density ranges that currently prevail. The proposed density is more appropriate to urban areas close to the city.

- To upgrade the site to accommodate a density of up to 150 dph as an accessible suburban – urban extension is premised on Bus Connects, which is not in operation.
- National Student Accommodation Guidelines do not provide for studios. Proportion of studio units is excessively high at 17.9% of total number of bedspaces. They are substandard in size at only 25 sqm and are all single aspect.
- Density calculation of the proposed development is questioned. Shared and studio apartments are fundamentally different. Density for studios should not be calculated on the basis of 4 bed spaces per unit. Proposed density would be 198 uph.
- The Development Plan has precedence over the Compact Guidelines in terms of density. Established case law provides that where there is a conflict between Section 28 Guidelines and the Development Plan, the latter prevails.
- Overdevelopment of subject site.

Design, height and scale

- Excessive height, scale, massing and bulk of the proposed development.
- Inappropriate design response for the site which is inconsistent with the character and pattern of development in this area. The proposal dwarfs adjoining buildings.
- Design does not comply with Development Plan provisions.
- The Development Plan identifies the locations for tall buildings and does not include the subject site. There is a presumption against tall buildings outside those specified locations. The proposal contravenes the building height strategy.

Impact on Residential Amenity

- Proposed development will seriously impact on the residential amenity of the area and the enjoyment of family homes through overlooking leading to a loss of privacy, overbearing and overshadowing impacts.
- Depreciation in value of properties in the area.

- Noise Impact Analysis Report is inadequate; it lacks sufficient measures to mitigate noise from outdoor activities.
- Concerns raised regarding construction noise, and noise at operational stage. Disturbance and noise will be generated during unsocial hours. Proposal demonstrates no consideration for the existing residential community in the area.
- The Sunlight, Daylight and Shadow Assessment does not clearly represent impact of overshadowing on No. 1 Merton, opposite the appeal site. It does not include shadow studies of the current receiving environment.
- Use of a different Sunlight, Daylight and Shadow Assessment prepared by a different company compared to the previous proposal is concerning. There is merit in the Board engaging a specialist consultant to review and verify its findings.
- Sunlight, Daylight and Shadow Assessment is inadequate as it omits critical data e.g. hourly sunlight availability for surrounding properties.
- Planning Authority did not evaluate the Sunlight, Daylight and Shadow Assessment. The report fails to assess all adjoining affected properties. It provides results which are more favourable than the report provided with the previous application. There are discrepancies between these reports.
- Proposal fails to fully comply with BRE Guidelines.
- Standard of proposed accommodation is not of sufficient quality.
- Potential for light pollution from the site.

Visual Impact

- Proposed development situated in an area of low-rise housing is out of character in this residential suburb and will significantly alter / intrude on / destroy the streetscape.
- Negatively impacts on the heritage value of the area, specifically the Church of the Descent of the Holy Spirit at Dennehy's Cross Protected Structure 958).

- Failure to protect views to the Church. Proposal contravenes Objective 6.14 of the Development Plan relating to the 'Cork City View Management Framework.'
- Size of the building facing Model Farm Road is visually obtrusive, visually overbearing and not adequately set back from the road.
- Severe / detrimental visual impact from the proposed development.
- VIA does not include any views from the rear gardens of adjoining residential developments.
- No night-time VIA provided showing impacts of proposed lighting of the scheme.
- VIA omits essential viewpoints and fails to assess seasonal variations in terms of tree cover and visibility.
- VIA under-estimates impacts on Woodlawn, particularly from rear gardens of Nos. 17 – 22.

Transportation concerns

- Lack of car parking is problematic. This will result in unnecessary risks for road users / the elderly.
- Overspill car parking will occur in neighbouring residential estates from students during the academic year and from tourists at holiday times.
- Inadequate disabled car parking provision.
- Only 210 bicycle spaces are proposed.
- An increase in traffic in the area will arise as a result of deliveries to the facility, maintenance vehicles and student drop-offs and collections.
- Concerns raised relating to access to the site.
- Cycle parking deficient with reference made to the Compact Guidelines.
- The Mobility Management Plan is inaccurate and out of date.

- Doubt raised that the development could be served by BusConnects. Existing bus services experience high volumes at peak periods.
- BusConnects is facing substantial delays and is an aspirational project. Problems include a shortage of bus drivers and reliability of service.
- It has not been demonstrated that the site is well served by high capacity public transport, and the applicant is not entitled to rely on SPPR of the Building Height Guidelines.
- Heavy reliance on uncertain transport infrastructure to cater for the proposed development.
- No parking provision for café proposed.
- Narrow footpaths in the area are ill-equipped to cater for surge in pedestrian footfall from the proposed development.
- Lack of cycle lanes from the site to colleges. This will lead to safety risks.
- Bus stops not suitable to cater for students from the proposed development.

Concentration of student accommodation

- Excessive concentration of student accommodation relative to residential population in the area.
- Student Concentration Report (SCR) stated to be misleading.
- A residential population composed of 63% of students does not represent a balanced and inclusive residential community.
- Private student accommodation provision has already exceeded targets set out in Table 3.6.
- Proposal would undermine HDNA targets for private sector student accommodation provision.

- A PBSA development was granted recently approximately 400 m from the site (ABP-314277 refers). The proposal when combined with permitted development would constitute 616 bedspaces in the neighbourhood. There is an over-concentration of high density student housing in the area.
- PBSA can only be granted where it does not result in a disproportionate number of residents being students. In this regard it is important to protect the residential amenity of the area and to achieve a balanced community. The proposal would undermine the established diverse residential tenure and amenity in the area.

Drainage

- Excessive wastewater generation from the proposed development may overwhelm existing drainage systems already at capacity.
- It appears that stormwater considerations were not evaluated in sufficient detail.
- Design of surface water system relies heavily on infiltration; due regard was not given to potential impacts on filtration in this area with limestone geology.

Impacts on wildlife / environment

- Bats are resident in gardens at Laburnum Lawn; bat activity at Woodlawn.
- Insufficient environmental impact assessment undertaken.
- Failure to comply with Water Framework Directive (WFD) and Habitats Directive particularly regarding discharge of wastewater to Carrigrennan WWTP and potential impact on the at-risk Lough Mahon and Cork Harbour.

Other matters / Procedural issues

- The proposed scheme is essentially the same as that which was previously refused permission on this site.
- Planning authority did not address serious concerns raised in the submissions made to it.

- Site should be used for housing / homes rather than for student accommodation.
- Potential for the development to be used by tourists during the summer months.
- No Section 247 meeting held. Only four officials from the planning authority attended the LRD meeting.
- This application must be assessed on its own merits. Previous Board decision relating to this site does not set a precedent.
- Unsafe boundary conditions between the site and 19 Laburnum Lawn; there is a dangerous drop of 6 m. Section drawing omits existing steel shed.
- Ground stability / subsidence is an issue in Laburnum Lawn. Concern that proposal would cause subsidence.
- Potential for flooding.
- Inadequate Management Plan for the facility. A full time warden is not proposed; inadequate office staff provision. Concern regarding lack community liaison service.
- Section 11.9 relating to placemaking is not complied with.
- Need for the proposed development has not been justified.
- Construction and Demolition Waste Management Plan is deficient. The quantum of soil to be excavated is not provided.
- No drawings relating to foundations / subterranean structures are provided. These are required in accordance with the Planning and Development Regulations 2001 as amended. Reference made the case law (Balscadden Road SAR Residents Vs An Bord Pleanála).
- The Board's note attached to the Direction in the previous appeal relating to the subject site incorrectly interpreted Table 11.1 as permitting 3-5 storeys in the south-western corridor.
- NTA did not submit comments on the application.

It is noted that the appeal made by Gerard O' Mahony provided appendices including the following:

- Report from B. Archer, Town Planner (summary incorporated into grounds of appeal set out above).

- Report from Barden Chapman Consulting Engineers which is summarised as follows:

- Details of site investigations are not provided. Without subsurface data, the suitability of ground conditions cannot be adequately assessed.
- No recommendations are made for foundation design or foundation type.
- No geotechnical parameters are provided for the underlying substrate.
- Insufficient information provided to assess the proposed basement construction. Depth of site investigation is inadequate to properly design the proposed basement.
- A Basement Impact Assessment should have been provided.
- No details provided regarding retaining structures at site boundaries (western and southern boundaries).
- No Construction Method Statement provided.
- Proposed infiltration may be unsuitable for underlying substrate.

- A legal submission / opinion from Ensor O'Connor LLP which is summarised as follows:

- The application failed to comply with the Planning and Development Regulations 2001 as amended in relation to plans and drawings required to be submitted with the planning application.
- Part of the development site is designated as a 'neighbourhood development site' in the Development Plan to provide for 75 'homes.' The proposed development is providing 408 student bed spaces and not 408 dwellings / homes. Therefore, the proposed development is a material contravention of the Development Plan objective to provide for homes, where people permanently reside.

- Objective 3.6 requires compliance with the housing need and demand assessment (HDNA) targets. The permission granted materially contravenes the targets in the HNDA by permitting one development to take up all the remaining allocation of 350 bedspaces earmarked for the private sector, for the remaining period of the plan.
- The interpretation of the density provisions of the Compact Settlement Guidelines is flawed. A studio unit is to be calculated as one dwelling unit of density. There is no requirement of compliance with the non SPPR content of planning guidelines. Where there is a difference between the Development Plan and guidelines, the Development plan prevails.
- In terms of height policy, the report prepared by B. Archer refers to misinterpretation by the Board of the building height standards table of the Development Plan, which is considered to amount to an error of law.
- Previous Board decision relating to the initial LRD on the site did not comply with the OPR recommendation that LRD appeals would be determined by a five member Board.

It is noted that the appeal made by Woodlawn Residents Association includes an Opinion on Value from OM2 estate agents on properties in Woodlawn should the proposed PBSA be approved. It finds that the proposal would have a substantial negative effect on the market value of properties, particularly those along the eastern boundary, where it states that issues relating to reduced daylight, overshadowing and loss of sunlight are expected to arise.

7.2. Planning Authority Response

No response received.

7.3. Observations

Observations were received Pdraig McCarthy and Penny Huggard and from Siobhan Brennan, who reside in the immediate area. The observation from Siobhan Brennan includes correspondence from the OPR which sets out the material contravention process at both application and at appeal stages. The issues raised in the observations

are similar to those in the third party appeals and I have grouped them under appropriate headings below.

Planning authority decision

- Concerns raised in submissions not addressed by the planning authority.
- The assessment and decision made contradicts the planning authority's previous adjudication of the proposal, which is essentially the same as / similar to the current proposal.
- Limited extent of assessment undertaken by the planning authority.
- The contents of the planning application do not form a reasonable or sound basis to facilitate a grant of permission.

Scale of development / Impact on Character of the Area

- Excessive height and scale.
- Out of character with the area.

Impacts on amenity

- Visually obtrusive nature of proposed development.
- Negative impact on No. 1 Vailima opposite the appeal site comprising overshadowing of front driveway and rear garden.
- Overlooking impacts.
- Not all internal amenity areas in the proposed development achieve the required amounts of sunlight e.g. library / study (Room 16).
- Usable external amenity quantum's are calculated incorrectly.
- Substandard facilities to be provided.
- Noise impacts arising from anti-social behaviour.

Material Contravention

- Proposal constitutes material contravention of the Development Plan. More than 50% of the site is designated as Site 9, intended for residential housing. Approval of a PBSA is a material contravention of the Plan.
- The process under section 34 (6) of the Act was not followed and therefore the grant of permission should be rescinded.
- Proposal does not meet criteria under section 37 (2) of the Act.

Other

- Depreciation in property values.
- Critique of Sunlight, Daylight and Shadowing study.
- Negative impacts on structure of family life.
- Overdevelopment.
- Prioritising residential homes over PBSA at this location would better support national housing policy.

7.4. First Party Responses to the Appeals

The first party has made detailed responses to the issues raised in the appeals. The applicant's first response to the appeal submitted by Paul Desmond was received on the 26th of March 2025, while their second response received in connection with the remaining nine appeals was received on the 3rd of April 2025. Both responses comprise rebuttals to the third party appeals. The applicant's second response received on the 3rd of April 2025 encloses three documents, namely:

- A 'File Note' from Horgan Lynch Consulting Engineers stating that the findings of the geotechnical site investigations are that conventional type foundations are appropriate for the development and that based on the Geotechnical Site Investigation Report, the topographical survey and proposed site layout, there is nothing to suggest that sub structure works would adversely affect any adjoining properties.

- A Ground Investigation Report prepared by Ground Investigations Ireland (GII) dated October 2022. It includes recommendations, trial pit records and rotary borehole records.

- A Sunlight, Daylight and Shadow Supplementary Assessment Report prepared by CSC in which shadow plots for March / September, June and December are provided.

The applicant's responses to the appeals are summarised under appropriate headings as follows:

Design alterations and associated impacts

- Alterations made to the design compared to the previous proposal comprising omission of parts of Block B, relocation of plant enclosures, reductions in height,

and the redesign of the third floor set back at the north-eastern corner of Block B, improve the visual impact and relationship with properties in Woodlawn.

- Condition 2 requires omission of the 3 bed cluster on the fifth storey of Block B to ensure no undue impacts arise on the residential amenities of surrounding properties.
- The Daylight / Sunlight Assessment provides that the proposal is compliant with standards in this regard.
- Proposal represents a 'responsive built form' and addresses successfully the questions posed in Appendix D of the Compact Settlements Guidelines.

Compliance with Development Plan

- In its previous decision, the Board had no difficulty with the use of the site for a PBSA development. The proposed use accords with the Zoning Objective of the site.
- The design of the scheme has had regard to the future development potential of the Lee Garage site.
- Proposed development complies with the objectives for the Neighbourhood Development Site 9, of which it forms part.

Residential Amenity issues

- No undue overbearing and overlooking impacts arise as a result of the proposed development, as concluded in the ADS.
- The proposed development is located at least 22 m from houses in Woodlawn. The southern-most gable of the scheme is located 35 m from the closest houses in Laburnum Lawn.
- Noise Assessment is provided with the application. Having regard to the residential nature of the PBSA it will be professionally managed. The Noise Assessment focuses on the noise impact of plant rooms. Environment Section did not raise concerns in terms of noise.

- Noted that properties at Merton and Vailima are separated from the subject side by the Model Farm Road and it is not considered that proposal would have undue overshadowing and overlooking impacts.
- Unlikely students would use the open space in the adjoining Woodlawn area, given the quality of open space in the proposed development.
- Proposed boundary with Laburnum Lawn will be constructed in accordance with the CEMP to be provided on foot of Condition 23. This boundary will not pose any danger. It includes fencing along the perimeter before the land falls away towards the proposed development.

Daylight / Sunlight and Shadow Assessment

- A separate Daylight / Sunlight and Shadow Assessment, prepared by CSC, is provided. It confirms the proposed development complies with BRE standards. Shadow plots for June, September and December are included in the report, which is updated to include house names / numbers in response to concerns raised.

Height and Density

- The Development Plan does not include policy to cap height at this location. The Height Strategy confirms that a building of 4 to 5 floors is not precluded at this location.
- Heights are tapered downwards nearer the site boundaries. Five storey development is concentrated at the centre of the site. Development at the eastern side of the site presents as three storey gables with high level windows (ensuring no overlooking impacts).
- Proposal complies with the Compact Settlements Guidelines and the Urban Development and Building Height Guidelines. The site is highly accessible, within walking distance of MTU and UCC and there is access to high frequency public transport.

- The proposed density is acceptable as per the planning authority's assessment of the proposal and the Board Direction relating to the previous appeal on the lands.
- Site is located in the 'City – Urban Neighbourhood' category of the Compact Settlements Guidelines, where densities in the range of 50-250 dph apply. Table 3.8 of the Guidelines are relevant. Noted that the site will also be within walking distance of a proposed Light Rail Transit Stop as indicated in the Cork Metropolitan Area Transport Strategy.
- Proposed density is calculated as 128 dph as per section 3.2.1 of the Guidelines.

Demand for student accommodation

- There is demand for additional PBSA as set out in the SCR.
- Proposal would directly contribute to reducing the under supply of student accommodation by 408 bed spaces.
- An overview of PBSA developments amount to approximately 2135 bed spaces, 46% of which are not yet under construction (981 bed spaces).
- The SCR highlights that the study area student population will increase by 2% from 22% of students within the 1 km study area in the 2022 Census to 24% (which includes the Victoria Cross Road development).
- The development will result in a proposed increase in student population of the CSO Small Area (Ref.A048030004/02) from 25% of the total population as recorded in Census 2022 to 63%.
- At Electoral Division (ED) level, the site is within the 'Bishopstown A' ED, which in 2022 had a population of 2292, including 945 students, representing 41% of the ED population. The proposed / permitted development on the Former Galvin Motor Dealership site (ABP Ref. 314277) increases the student population of this ED to 46%.

Transport issues

- Planning authority satisfied with car parking provision. There are sustainable means of travel available in the immediate area.
- No reason to believe that low level of car parking provision will result in students parking in adjoining areas.
- Unauthorised car parking is an enforcement issue given requirements for residents parking / parking permits in estates.
- There is a single access point to the development serving pedestrians, cyclists and also allowing restricted vehicular access.

Impacts on Environment

- There will be no change in the WFD status of any connected waterbodies. Based on 2023 data, Carrigrennan WWTP is operating at 71.7% capacity. The proposed development will have no significant effects on water quality within Cork Harbour.
- No proof provided that there are bats present in trees at Laburnum Lawn. The project ecologist did not raise any possible locations for bat roosts in the vicinity of the site.

Geotechnical issues

- Exact construction details e.g. details of foundations, are typically designed after planning permission is received. Given the distances between the proposed development and existing properties, the impact of the development on the structural integrity of adjoining properties is not considered to be an issue.
- Notwithstanding, a note by Horgan Lynch Consulting Engineers responding to concerns raised by Barden Chapman Consulting Engineers is attached to the appeal response. A Ground Investigations Report is submitted which states that the subject site represents no unique challenges from an engineering perspective and that standard construction details will be employed in the detailed design of foundations and substructure.

Other

- Visual impact is considered acceptable in this location. Proposed development will not adversely impact on the character of the Church of the Descent of the Holy Spirit, as demonstrated in the LVIA.
- The permitted PBSA at the former Galvin Motor Dealership site (ABP Ref. 314277) is considered a precedent as that site and the appeal site share many of the same locational attributes.
- The SuDS Strategy comprises use of SuDS features and attenuation tanks. Green roofs, permeable paving, infiltration basins and trenches and cellular storage are proposed. As per the Drainage Report / Engineering Report provided surface water will be discharged at greenfield rates. There was no objection from the Senior Executive Engineer in this regard.
- The submitted Waste Classification Report confirms that none of the subject land is contaminated.
- The appeal response assesses the proposed development positively against the criteria included in Objective 11.6 of the Development Plan.
- The architectural drawing pack is prepared in full accordance with the Planning and Development Regulations 2001, as amended.

The applicant requests that permission be granted for this development.

8.0 Assessment

8.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Impact on the Character of the Area / Density of development
- Residential Amenity and Residential Standards
- Assessment of the proposal against Objective 3.8 and Objective 11.6
- Transportation Considerations
- Infrastructure and Flood Risk

- Concentration of student accommodation
- Other Matters
- Water Framework Directive

8.2. Principle of Development

8.2.1. The subject site is zoned ZO1 – ‘Sustainable Residential Neighbourhoods’ in the Cork City Development Plan 2022 – 2028 and student accommodation is a residential use acceptable in principle on such zoned lands. Objective 3.8 seeks to provide such accommodation ‘..in locations accessible to higher-level education campuses by walking, cycling or public transport, and ideally in the City Centre, City Docks, urban centres and mixed use redevelopment schemes of brownfield sites..’ I note Section 11.81 of the Development Plan states that both UCC and MTU are located in the Cork City Suburbs and as such, this sub-area will need to accommodate studios / purpose built student accommodation to ensure supply targets are met during the Plan period.

8.2.2. Following assessment of the proposal, the planning authority decided to grant permission subject to conditions. Multiple concerns are expressed in the third party appeals and observations relating to the proposed development, not least about its impacts on the character of the area and on residential amenity. An assessment in this regard is required and is undertaken in the following sections of this report. As referenced above, given that the land-use zoning pertaining to the site allows for student accommodation on the subject lands, the submitted proposal is, in principle, acceptable in the context of the ZO1 zoning objective. The proposal is also acceptable in terms of Objective 3.8 through its transport links and location proximate to both MTU and UCC campuses (which are situated approximately 1.8 km and 1.4 km from the site respectively) and in terms of section 11.81 which confirms that Cork City Suburbs are required to provide studios / student accommodation, noting that UCC and MTU are located in this sub-area.

8.2.3. The applicant has outlined the suitability of the subject site for student accommodation based on its location, as referred to above and also based on accessibility to third level institutions. I agree in principle that this is an appropriate location for a PBSA development, as outlined by the applicant, and I note also that the site is located within approximately 1.5 km of Cork University Hospital.

Studios

- 8.2.4. The proposed development provides for 408 bedspaces, comprising a mix of 73 studio units (17.9% of total bedspaces) and 57 apartments providing a total of 335 bedspaces. Concerns are raised in third party submissions that an excessive number of minimally sized studio units are proposed in this application.
- 8.2.5 The purpose of the proposed studio units is to provide temporary accommodation for students during the academic year. In this context, it is not required that they meet the same standards relating to size and orientation which are required for studio units in an apartment scheme which would be occupied on a permanent basis. I note that the proposed studio units would also have the benefits of internal and external amenities / spaces associated with this PSBA development. The proportion of studio units proposed is significantly below that of the previous LRD application on this site, which equated to 224 studio units (or approximately 50% of the total number of bedspaces). Further, the proposed studios (at least 25.3 sqm) are larger than those proposed in the previous application (20 sqm).
- 8.2.6 While I accept that the NSAS does not refer to studios, I note Section 3.42 of the Cork City Development Plan supports the provision of studios as part of a range of PBSA types within any such development, and recommends 'that developments should incorporate cluster flats, studios, disability flats with size variations within any floorplate design.' The proposal accords with Section 3.42 in this regard, including provision of 41 accessible bedrooms in the scheme (10% of total bedspaces).

Demolition

- 8.2.7. The proposal involves demolition of the former St. Joseph's Convent (approximately 997 sqm) which is of single and two storey design, located on the northern part of the subject site. The Design Statement provided with the planning application sets out a brief justification for demolition of the building, noting that it is not adaptable to facilitate significant increases in housing provision / capacity on this well-located site. I note the planning authority raised no objection to the proposed demolition works, concluding they would be acceptable to ensure the development potential of the site is realised. Noting that the building was likely constructed in the 1970's and that it is of no particular architectural merit, I concur with the planning authority's view that demolition would be acceptable in this instance. A suitable condition can be applied for the reuse of materials

in the event of a grant of planning permission, in relation to resource waste management, to reduce the carbon footprint of the works.

Neighbourhood Development Site 9

8.2.8. I note a number of the third party submissions received consider the proposal to constitute a material contravention of the Cork City Development Plan 2022-2028 on the basis that the lands encompass 'Neighbourhood Development Site 9' which is detailed in the Development Plan to have potential to deliver at least 75 dwellings. Section 10.354 of the City Development Plan defines Neighbourhood Development Sites as sites considered 'to have the potential to provide local benefit to the local neighbourhood and act as catalyst developments, if developed appropriately and to their potential.' Neighbourhood Development Site 9 which measures 1.68 ha, incorporates Lee Garage (adjoining the appeal site to the west) and is also part of the subject site, located to the south of the former convent building. The City Development Plan indicates the 'Potential Land Use' for this Neighbourhood Development Site is 'Residential with minimum of 75 Homes.'

8.2.9. I do not consider that the use of the subject site for student accommodation, part of which is within the boundary of Neighbourhood Development Site 9, would constitute a material contravention of the Cork City Development Plan 2022-2028. In my opinion, it is clear that the City Development Plan has examined the potential of the site to provide for standard housing and has set a minimum target that does not preclude other types of housing to be provided on the site, in my opinion. In my view the text and language used in the City Development Plan relating to specific land uses for Neighbourhood Development Sites, including Neighbourhood Development Site 9, is not prescriptive but rather a baseline on density of development and therefore the use of the subject site for student accommodation, which partially incorporates Neighbourhood Development Site 9, does not constitute a material contravention of the Cork City Development Plan 2022-2028. Indeed, the proposed development is equivalent to 128 units per hectare.

8.3. Impact on the Character of the Area / Density of development

8.3.1. The proposal comprises the demolition of an existing building and the construction of a student accommodation development (including café) to be accommodated within two blocks (A and B) ranging in height between 2 and 5 storeys. A basement (approximately 75 sqm) to comprise a tank room and a plant room is proposed in Block B. The appeals

and observations raise concerns regarding the scale, height, design and density of development and impacts on existing houses adjoining and proximate to the subject site. There is criticism that the proposed development does not comply with section 11.9 of the Development Plan which requires that placemaking is at the heart of all development.

- 8.3.2. While noting that the new development would undoubtedly mark a departure from the prevailing suburban character of the area, the planning authority concluded that the proposed development would integrate successfully into the receiving environment and not give rise to a significant negative impact on the character of the area.
- 8.3.3. The applicant has provided a rationale for the architectural design in the 'Placemaking' section of the Architectural Design Statement (ADS) stating that the proposed Model Farm Road elevation is designed as a terrace, with staggered volumes, rising in height from the site boundaries. In my view the contemporary architecture is of high quality design that creates place-making in the city. A new road layout will be designed to incorporate BusConnects Route E, to facilitate new bus and cycle lanes along the front of the site.
- 8.3.4. The ADS indicates that the building's massing and elevations are inspired by the simplicity of traditional terraces. In terms of external finishes, two contrasting brick types are proposed. End gables are to be clad in darker brick, while a pale brick is to be used in external communal areas. Other external materials comprise metal cladding for roofscapes boxes and perforated metal screens. I consider proposed external materials to be durable and of high quality.
- 8.3.5. Proposed landscape design and footpath / streetscape detailing will facilitate movement by mobility impaired persons, while level access is provided to all buildings. Accessible studios / cluster bedrooms comprise 10% of the total number of residential units and are distributed throughout the proposed development to cater for physical diversity. External amenity spaces comprising lawns, relaxation and exercise areas are provided for residents (5.7 sqm per bedspace). Planting of 167 no. semi-mature trees are also proposed throughout the site. Having regard to the foregoing, it is evident, in my view, that placemaking is central to the proposed development and I consider that the proposal complies with section 11.9 of the Development Plan in this regard. The

proposal makes a welcome contribution to placemaking at this location, impacting positively on the streetscape and this urban neighbourhood.

8.3.6. It is appropriate at this juncture to identify the main differences between this application and the previous application relating to these lands, made on foot of the refusal decision issued under ABP-319190-24. These may be summarised as follows:

- Reduction in the total numbers of bedspaces from 450 to 408.
- Number of studio units reduced by 151 to 73 (i.e. from c 49% to c 18%).
- Increase in floor areas of studios from 20 sqm to at least 25.3 sqm.
- Internal communal areas provided in both blocks.
- Increase in external communal area from 3.3 sqm per bedspace to 5.7 sqm per bedspace excluding access areas and western courtyard.
- Ancillary café proposed in Block A.

Further, in response to the planning authority's Pre-Application LRD Opinion which raised concerns relating to, inter alia, visual impact and impact of visual overbearance of houses in the Woodlawn estate, a number of amendments were made to the scheme, as summarised above in Section 3.3 of this report, and briefly set out below.

8.3.7. I also note that Condition 2 of the decision to grant permission requires revised drawings to be provided showing omission of the 3 bed cluster unit located on the fifth storey to the north of Block B and its replacement with either a studio unit or the alteration of the 6 bed cluster to a 7 bed cluster in the interests of visual amenity and the residential amenities of adjoining properties. Should the Board decide to grant permission for this proposed development I would recommend inclusion of this condition.

8.3.8. The submitted Architectural Design Statement and the 'Response to Council Opinion' document outlines how the development will integrate with the existing streetscape and the adjoining houses at Laburnum Lawn to the south and housing to the east, including the Woodlawn development. As outlined above, there are a number of noteworthy revisions to the design. The height of the scheme is reduced, the massing of the scheme is stepped back further from Woodlawn and window sizes are reduced. Two and three storey gables with high level windows largely present to the eastern boundary which mitigates abrupt transitions in scale. The connecting north-south block of Block B is reduced from five to four storeys. Five storey development is set away from boundaries, with it positioned towards the centre of the site. Rooftop plant previously positioned

fronting onto Woodlawn is relocated to the western side of the site in a single storey structure. Block 3 (a two storey block) previously proposed in the initial scheme is omitted.

8.3.9. I consider that the design has had regard to existing adjoining and nearby residential development to the east and south as described above. The predominant four storey design of Block A fronting onto Model Farm Road ensures no significant undue impacts arise on existing residential development on the northern side of that road while providing for a strong street frontage at this location. The revisions to the design as described have facilitated an improved integration with the existing houses adjoining and opposite the site. In this context, I consider that the use of different heights, material finishes including contrasting brick finishes provides visual interest and an appropriate design in this location.

8.3.10. There will clearly be a difference in height between the proposed development and adjoining houses, however, the separation distance (see Table 2 below) provided between the existing and proposed structures is welcomed with the stepped heights of the proposed Blocks allowing for good integration between existing and proposed buildings. I consider the design also facilitates protection of adjoining residential amenity, which will be addressed in section 8.4 of this report.

Impact on visual amenity

8.3.11 Several third party submissions consider that the proposed development would have a severe impact on the visual amenity of the area and would be visually obtrusive, with reference also made in this regard to Block A addressing Model Farm Road. Third parties are critical of the submitted Visual Impact Assessment (VIA), which they contend omits essential viewpoints and fails to assess for seasonal variations. There is also concern that the proposed development would negatively impact views of the nearby church, the Descent of the Holy Spirit, which is a protected structure, and would contravene Objective 6.14 of the Development Plan which relates to the Cork City View Management Network.

8.3.12 A Landscape and Visual Impact Assessment (LVIA) and verified 'before' and 'after' photomontages of the proposed development is provided with the planning application. The LVIA is based on views from 17 locations in the surrounding environment. In the first instance, I have considered the more distant and / or obscured views from locations

1, 2, 3, 4, 5, 7, 8, 9, 15, 16, 17 and 18. In this regard, I would consider the proposed development to be imperceptible from viewpoints 1, 9, 15, 16 and 17 and slight from viewpoints 2, 3, 4, 5, 7, 8 and 18.

8.3.13 Otherwise, I would assess the impact from the remaining viewpoints as follows:

View 6 – This view is from The Beeches on the northern side of Model Farm Road and west of the subject site. Summer and winter views are provided. The dome of the church is obscured by screening / vegetation during summer but it remains visible during winter months when the development is in situ. The front of Block A is clearly visible from this viewpoint. The LVIA assesses the predicted impact as Moderate, Neutral-Positive. I would assess the impact as Moderate, Neutral.

View 10 – This view is from the amenity green in Woodlawn. Summer and winter views are provided. The proposed development is much more visible during winter months when the trees in the estate are bare. In this regard the visual change is quite abrupt. I agree with the view expressed in the LVIA that the variation in block structure lends itself to the scale of the semi-detached houses in Woodlawn. The LVIA assesses the predicted impact as Moderate: Negative-Neutral. I would assess the impact as Moderate, Negative.

View 11 – This view is from Laburnum Lawn. From the public road, the proposed development is in view between the gaps of pairs of semi-detached houses. The LVIA notes that with a full storey below the boundary elevation, the visual relationship will be similar to an estate with back to back houses. Buildings are offset at least 35 m from existing residential development at Laburnum Lawn. The LVIA notes that screening at the south of the subject site will solidify mitigating visual impact. I concur with the LVIA predicted impact from this viewpoint, which is Moderate, Negative.

View 12 – This view is taken 25 m from the site boundary in the Woodlawn cul-de-sac. The mix of external materials is noticeable and adds visual interest. The LVIA notes there is an abrupt presence of buildings where there were previously none. Development is noticeably stepped down as it approaches the boundary which considers the scale of existing development in Woodlawn. I agree with the LVIA predicted impact from this viewpoint, which is Significant, Neutral.

View 13 – This view is taken from Model Farm Road at Robinscourt (further east of The Beeches, on the northern side of Model Farm Road – see View 6, above). This view

was taken in October 2024. The top of the dome of the church remains visible post-development from this view point. This would not have been the case under the previous proposal where the dome would have been obscured by the proposed five storey (setback) building addressing Model Farm Road. I agree that the loss of the maple tree is noticeable. The LVIA assesses the predicted impact as Moderate, Neutral-Positive. I would assess the impact as Moderate, Neutral.

View 14 – This view is taken from Model Farm Road at Woodlawn. The LVIA notes that the varying roof profiles of existing housing provides a desirable rhythm and that the proposed scheme from this viewpoint appears compatible with the surrounding context and enhances the streetscape. I agree with this assessment. I concur with the LVIA predicted impact from this viewpoint, which is Significant, Positive.

- 8.3.14. It is clear that the proposed development comprising the redevelopment of this well-located urban site would result in a substantial change in views from particular viewpoints as set out above. In this context, two view receptors (Views 10 and 11 at Woodlawn and Laburnum Lawn) are assessed as Moderate, Negative in the LVIA. As referenced in the LVIA, it is the case that both of these viewpoints are close range residential receptors and the negative impact is based on the perceived abrupt change to the low rise neighbourhood settings. In my view the aforementioned design changes to the buildings as set out in section 3.3 of this report has resulted in a proposal which is acceptable in terms of its visual impact.
- 8.3.15. Having regard to the verified photomontages submitted with the planning application, and the findings of the LVIA, which I generally agree with, I do not consider that the proposed development would significantly obstruct linear views of the nearby protected church and landmark building, the Descent of the Holy Spirit. I accept the applicant's position as outlined in the LVIA that beyond the 90 m view corridor of the church, views become muddled and fleeting, sometimes disappearing and then reappearing. I also note the comments of the Conservation Officer in this context who considers that the proposed development which omits the originally proposed 5th floor element from the Block facing Model Farm Road would result in a more positive outcome. Having regard to the foregoing, I am satisfied that the proposed development would not contravene Objective 6.14 of the Development Plan relating to the Cork City View Management Network.

8.3.16 In my opinion the LVIA includes appropriate viewpoints from the public realm, surrounding the subject site. It is not in doubt that the proposed development would be visible from the rear gardens of adjoining houses, however given the proposed separation distances between the new and existing developments (as outlined in Table 2 of this report), I would consider the proposal to be acceptable. This area of Cork city is an urban setting in transition and it is appropriate that development takes place provided it accords with proper planning and is sustainable. I do not consider that there is a requirement for a night-time VIA to be provided in this case. I do however recommend a condition requiring submission of a Lighting Plan for the written agreement of the planning authority to ensure the proposed development is appropriately lit and that it does not cause light spill to adjacent sites.

Building Heights

8.3.17. The majority of Block A, located at the northern part of the site is of 4 storey design, with a central 5th floor area, and 3 storey section to the east. Block B, located to the south of Block A comprises 5 storeys at the north and south, a 4 storey central link element with two and three storey elements abutting adjoining residential areas.

8.3.18. Map 8 'Density and Heights' of Volume 2 of the Cork City Development Plan 2022-2028 indicates that the majority of the site is within the 'Outer Suburbs' of the city, while a portion of the site is within the 'Inner Urban Suburbs.' Table 11.2 of the Development Plan, 'Density and Building Heights Strategy' provides a lower and upper target for building heights. 'Inner Urban Suburbs' are indicated as having a target height range of 3 to 5 storeys, with the south west corridor range indicated to be 3 to 4 storeys. 'Outer Suburbs' are indicated as having a range of 2 to 4 storeys.

8.3.19. This area of the city is undergoing transition as evidenced by new residential development of 2-3 storeys nearing completion opposite the appeal site. Further, I note the planning authority's decision to grant permission for a proposed 5 storey development further east on Model Farm Road at Dennehy's Cross Garage (Reg. Ref. 23/41980 / ABP-319766-24 refers) in the immediate vicinity of the subject site. The planning authority states that some increases in height exceeding target heights are open for consideration, notwithstanding the associated target tables, as these are not site / landownership specific. The same flexibility is stated to apply to the 'heat' map which appears to refer to Figure 11.1 'Density and building height spatial strategy' as

set out in the City Development Plan. I would concur with the planning authority's view in this regard and I do not consider that the provision of a 5th floor at the subject site would materially contravene the City Development Plan in terms of height standards. I note also the analysis undertaken by the applicant in relation to building heights as set out in the ADS, which refers to the Urban Development and Building Heights Guidelines (2018) and which seeks to justify the proposed development with reference to that document.

8.3.20. I note the view expressed in a third party submission that the proposed development comprises 'Tall Buildings' on the basis of the Development Plan definition (Section 11.45 refers) 'as a building that is equal to or more than twice the prevailing height in a specific locality.' While the prevailing height of the area is given as 2 to 3 storeys in the Cork City Development Plan 2022-2028, I noticed during my site visit that this area is undergoing transition in terms of development and building heights. I also note the significant height of the landmark building that is the Church of the Descent of the Holy Spirit located close to the appeal site. Furthermore, I also refer to the aforementioned 5 storey development permitted further east of the site, on Model Farm Road proximate to Dennehy's Cross, as referred to above.

8.3.21. The planning authority has confirmed by way of the planner's report that increases in height above target heights are open for consideration at this location. I do not consider that the provision of a 5th floor at the subject site would materially contravene the Cork City Development Plan in terms of height standards.

Density

8.3.21. The proposed development provides for 408 student accommodation bedspaces, each located either in an individual room in a cluster that includes a communal kitchen / living / dining space or in a studio that includes a kitchen area, a study area and an enclosed bathroom. Footnote 3 of section 3.2.1 of the Compact Settlement Guidelines notes that 'When calculating net densities for shared accommodation, such as student housing, four bed spaces shall be equivalent of one dwelling.' I note that a number of the third party submissions contend that shared and studio apartments are fundamentally different and that the density of the development incorporating studios should not be calculated on the basis of 4 bed spaces per unit. As set out previously under section 8.2.5, my view is that there is no requirement for the proposed studios to meet the same

standards relating to size which apply to studio units in an apartment scheme to be occupied on a permanent basis. The proposed scheme is designed to offer temporary accommodation to students during the academic year. Having regard to the limited size and configuration of the studio units proposed in this scheme, it is my opinion that the density of the development in its entirety should be calculated by reference to the aforementioned footnote 3. In this regard, the density would equate to 127.5 units per hectare (uph). I note that the planning authority also calculated the density on the basis of footnote 3 of the Compact Settlement Guidelines.

8.3.22. Local planning policy as set out in the Cork City Development Plan 2022-2028 seeks to increase densities where this is appropriate. As evidenced in Map 8 'Density and Heights' of Volume 2 of the City Development Plan the majority of the subject site is located within the 'Outer Suburbs,' while a portion of the southern part of the site is within the 'Inner Urban Suburbs.' Table 11.2 'Density and Building Heights Strategy' of the Development Plan provides a lower and upper target of density of 40 and 60 respectively for Outer Suburbs. For 'Inner Urban Suburbs' (South-west corridor) lower and upper target densities of 50 and 100 uph are identified.

8.3.23. In my opinion, having regard to the residential zoning of this well-located brownfield site on Model Farm Road and proximate to Dennehy's Cross, which is presently served by a number of high frequency bus routes as identified above, and which will have direct access and proximity to BusConnects Sustainable Transport Corridor (STC) E route (Ballincollig to City) running along the northern boundary of the site, I consider the proposed density of development to be appropriate. In this context, I note that Table 3.1 of the Compact Settlements Guidelines confirm that residential densities in the range up to 250 uph(net) shall generally be applied in City-Urban Neighbourhoods of Dublin and Cork, while densities of up to 150 uph (net) shall be open for consideration at 'accessible' suburban / urban extension locations as defined in Table 3.8. As set out above, I have calculated the proposed density at 127.5 uph, which in my view does not constitute overdevelopment in this accessible location, having regard to the density ranges identified above.

8.3.24. Table 3.8 of the Compact Settlements Guidelines sets out definitions for terms used to define accessibility. In this regard 'High Capacity Public Transport Node or Interchange' is identified as lands within 1 km walking distance of an existing or **planned** high capacity urban public transport node that includes, inter alia, light rail; or locations within

500 metres walking distance of an existing or **planned** BusConnects 'Core Bus Corridor' stop. CMATS identifies the existing 205 and 208 bus routes as featuring high frequency services. These routes service the site and the site will directly adjoin the proposed BusConnects Sustainable Transport Corridor (STC) E. Further, I note that the Emerging Preferred Route (EPR) for a new Luas service in Cork is presently the subject of public consultation (until 9th of June 2025). It is proposed that the route will stretch from Ballincollig to Mahon Point and would stop at 25 locations including at MTU, CUH and UCC. I note that the proposed nearest stop to the proposed development would be at Dennehy's Cross, approximately 280 m east of the site.

- 8.3.25. While I note the concerns raised in submissions regarding BusConnects, which state the project is an aspirational one which will be severely affected by lack of drivers thereby having knock-on impacts on reliability of services, I note that several rounds of public consultation have already occurred in respect of this project and that it is anticipated the strategic transport corridor applications will commence from mid-2025. Resourcing matters are issues for the operator to address and are not matters for consideration in terms of planning.
- 8.3.26. A number of third party submissions note that the Cork City Development Plan has not been varied to incorporate density ranges provided in the Compact Settlements Guidelines (2024) and therefore consider the Development Plan to take precedence in this regard. I note that under Circular Letter: NRUP 02/2024 issued by the Department of Housing, Local Government and Heritage, the Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities (2009) have been revoked and are replaced by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. To ensure consistency, planning authorities are requested to review statutory development plans currently in force and form a view as to whether the plan(s) is materially consistent with the policies and objectives (including SPPRs) of the new Guidelines. If not, then steps should be taken to vary the statutory development plan so as to remove the material inconsistency(s) concerned. What this means for residential densities for Cork city in general and the appeal site in particular is that the issue of residential density must be assessed in accordance with the Compact Settlements Guidelines until a formal review has been completed, if the Plan is considered inconsistent with the Compact Settlement Guidelines.

8.3.27. **Conclusion on Impact on the Character of the Area:** The proposed design has regard to existing adjoining and nearby residential development to the north, south and east, providing an improved integration with these residential developments. The provision of stepped heights of the proposed Blocks facilitates good integration between existing and proposed buildings. This area is undergoing transition in terms of building heights. I consider that the provision of a 2-5 storey development at the subject site would be acceptable and would not materially contravene the City Development Plan in terms of height standards. The area has seen the introduction of a variety of building types / uses and designs and this development continues the evolution of the area. The proposed density is appropriate for this location which is well served by public transport and is within an established urban area.

8.4. **Residential Amenity**

8.4.1. The appeals and observations raise concerns in relation to overbearing impacts, overlooking leading to a loss of privacy and also potential overshadowing / loss of sunlight arising from the proposed development. There are criticisms of the submitted Daylight, Sunlight and Shadow Assessment, including that its findings are different to the report provided with the previous LRD application which pertained to the subject site. The planning authority raised issues of concern about impact on existing residential amenity, and in this regard, I note that Condition 2 requires omission of the 3 bed cluster unit located on the fifth storey to the north of Block B, which projects beyond the main building line, and its replacement with a studio unit or a bedroom.

Overbearance

8.4.2. The first issue raised in the Council's Opinion related to overbearance and the potential impact of the proposed development on houses in Woodlawn, which adjoins the appeal site to the east. The planning authority recommended that revisions be made to the design and finishes to address its concerns. In response the applicant proposed alterations which are detailed in section 3.3 of this report. In summary they include reductions in height, increased setbacks from the boundary with Woodlawn and relocation of rooftop plant. The alterations were assessed favourably by the planning authority. I note that the relationship with adjoining context is assessed in the submitted ADS. Along the eastern boundary the proposed development will present as a series of 2 / 3 storey gables, when viewed from Woodlawn. I concur with the applicant that this

will allow for a gentle as opposed to an abrupt transition between the two storey houses and the proposed development, where proposed fourth and fifth storeys will be positioned nearer the centre of the development. As such I do not anticipate any undue overbearing impacts on Woodlawn as a result of the proposed development.

8.4.3. The proposed Site Layout Plan sets out separation distances between the side gables of the proposed development and the rear / side elevations of the nearest houses in Woodlawn (to the east), Laburnum Lawn (to the south), Vailima and Merton, both to the north. In this context, I note the following separation distances apply:

Table 2: Separation distances to the proposed development from existing dwellings

Address	Separation distance to the proposed development
Rear elevation of 21 Woodlawn	39.775 m
Rear elevation of 20 Woodlawn	40.936 m
Rear elevation of 17 Woodlawn	22.134 m
Side elevation of 16 Woodlawn	7.318 m
Rear elevation of No.17 Laburnum Lawn	34.941m
Rear elevation of No.13 Laburnum Lawn	45.629 m
Rear elevation of No. 9 Laburnum Lawn	43.493 m
Rear elevation of No. 7 Laburnum Lawn	43.841 m
Side elevation of No. 1 Vailima	26.839 m
Side elevation of No. 1 Merton	23.168 m

8.4.4. The long rear gardens of Laburnum Lawn adjoin the site to the south. No. 17 Laburnum Lawn is the closest house in that estate to the proposed development. The existing ground levels at the southern part of the site will be excavated by up to 3 m to facilitate the proposed development. The ground floor of the houses in Laburnum Lawn are higher than that of the proposed development. As such, the proposed building will largely appear as a three storey development when viewed from Laburnum Lawn. Having regard to the foregoing including the separation distances between houses in Laburnum Lawn to the proposed development, I do not anticipate any undue overbearing impacts on houses in that estate as a result of the proposed development.

8.4.5. The front of Block A addressing Model Farm Road will be of four storey design. Given the separation distances between this Block and new houses at Vailima and Merton on the northern side of Model Farm Road I do not anticipate any undue overbearing impacts to arise as a result of the proposed development.

Potential for Overlooking

8.4.6. The potential for overlooking leading to a loss of privacy was raised as an issue in the appeals and observations. The design of the eastern elevations of Blocks A and B includes the provision of high level windows which will ensure that overlooking is not an issue. Furthermore, the provision of translucent glazing to east-facing windows at setback levels also means that overlooking will not occur to the east. A blank gable is proposed to face the side of Laburnum House B&B which adjoins the site to the north east; as such no overlooking opportunities would arise. Proposed windows on the front façade of Block A, which is of four storey design, will facilitate passive surveillance of the adjoining Model Farm Road. Given the significant distances proposed between houses in Laburnum Lawn and Block B, no undue overlooking impacts are anticipated in this regard. Section 3 of the Architectural Design Statement includes comprehensive details on 'Relationship with Adjoining Context' and details the separation distances between existing and proposed units. I consider that the design of the proposed development will ensure that existing residential privacy is protected.

Overshadowing, loss of daylight / sunlight

8.4.7. The issues of overshadowing and loss of daylight and sunlight are raised in the third party submissions. Cork City Council raised no concerns in relation to this element of the development. The applicant has provided a 'Sunlight, Daylight and Shadow Assessment' in support of their application, and this considers both existing / proposed units adjoining / near the site and the proposed development. This is prepared having regard to 'BR 209 (2022) – Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice.' I note that the Compact Settlement Guidelines consider this an acceptable guide to good practice. A supplementary report was also provided by the applicant in their response to the appeal which (a) provides Shadow Assessments for June, March / September and December and (b) identifies / confirms the houses included in the Neighbourhood Groups as follows:

- Neighbourhood Group B1: Rose Cottage, Model Farm Road; Undefined house name beside / east of Rose Cottage and No. 1 Vailima.
- Neighbourhood Group B2: Laburnum House, Model Farm Road; unit to rear of Laburnum House

- Neighbourhood Group B3: Nos. 16, 17, 18, 19, and 20 Woodlawn.
- Neighbourhood Group B4: Nos. 9, 11, 13, 15, 17 and 19 Laburnum Lawn.
- Neighbourhood Group B5: Newly permitted development at Merton (two units at front of the site, closest to Model Farm Road).

8.4.8. The report provided with the planning application assesses the impact on the aforementioned Neighbourhood Groups. Existing windows facing the proposed development are assessed in terms of (a) Impact / Change for Skylight – Vertical Sky Component (VSC) and (b) Impact / Change for Probable Sunlight Hours (PSH) – Annual APSH and Winter WPSH. This report also assesses existing amenity spaces for impact / change on sunlight / shadow.

VSC Analysis

8.4.9. If the VSC is greater than or equal to 20%, sufficient daylight is achieved and still reaches the windows of existing buildings, and compliance is achieved with BRE criteria. If the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The Skylight to habitable rooms - VSC analysis is presented on pages 7 and 8 of the report and shows that when tested with the new development in place 98% of the tested windows comply with the 27% and / or 0.8 ratio requirements for habitable rooms. One window is noted as marginal on both targets i.e. 26.3% on the 27% VSC target and 0.79 on the 0.80 ratio target. I concur with the conclusion as set out in the report that the proposed development generally complies with the BRE Guidelines in relation to skylight availability for neighbours.

APSH and WPSH Analysis

8.4.10. In order to assess loss of sunlight to an existing building, all main living rooms and conservatories should be checked if they have a window facing within 90 degrees of due south. To calculate loss of sunlight over a year APSH is used. BRE guidance notes that rooms will appear reasonably sunlit if (a) at least one main window faces within 90 degrees of due south and (b) the centre of at least one window to a main living room can receive 25% of annual probable sunlight hours in the winter months between 21st September and 21st March. Only windows which face within 90 degrees of

due south require testing. Those that do not are notionally labelled as 'North' in the tabulated results on page 9 of the report.

- 8.4.11. Upon testing with the proposed development in situ, 100% of tested windows comply with the annual APSH and 100% comply with the winter WPSH requirements for sunlight. The average change ratios are given as APSH: 0.91 and WPSH: 0.81. As such, I concur with the conclusion that the proposed development accords with the BRE Guidelines in relation to both annual and winter sunlight availability to neighbours as it applies to living areas and conservatories.

Impact on Gardens / Private amenity spaces

- 8.4.12. According to the BRE Guidelines, it is recommended that for it to appear adequately lit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21st of March. Page 10 of the report includes a graphic of the existing situation and the proposed post-development situation. Results demonstrate that 100% of tested neighbouring amenity spaces pass the BRE 2 hours of sunlight on the 21st of March or 0.8 ratio requirement. The average change ratio for the tested amenity spaces for shadow / sunlight is 1.00. It is apparent that there is little discernible differences in terms of existing and post development scenarios.
- 8.4.13. I am satisfied that the proposed development will not have a significant negative impact on adjoining properties in terms of loss of daylight / sunlight to internal rooms and in terms of sunlight receipt to outdoor amenity space. Page 10 of the Daylight / Sunlight Assessment report comments that the proposal generally complies with BR209-2022. I note that one window on an adjoining site to the north east falls marginally below the recommended Vertical Sky Component (VSC) from BR 209 (2022) but is acceptable in terms of Annual / Winter Probable Sunlight Hours and Sunlight to Amenity Areas, all as per BR 209 (2022). The tested VSC for this single window post-development is 26.3% as against the existing baseline of 33.5%. This is very marginally below the 27% and / or 0.8 ratio requirements for habitable rooms. I consider the results of the various tests to be acceptable with any loss of residential amenity as a result of the proposed development to be at a negligible level.
- 8.4.14. The submitted Daylight / Sunlight and Shadow Assessment indicates that the existing / proposed houses adjoining the proposed development will retain appropriate levels

of daylight and sunlight and will not suffer from significant negative impacts as a result of the development.

8.4.15. In order to address matters raised in the third party appeals, the supplementary Daylight / Sunlight and Shadow Assessment provided in the applicant's response to the appeals includes shadow assessments at hourly intervals for 21st June, 21st of March and September, and 21st of December. Having examined these shadow assessments I consider they corroborate the finding in the Daylight / Sunlight and Shadow Assessment provided with the application that the tested neighbouring amenity spaces pass the BRE 2 hours of sunlight on the 21st of March.

8.4.16. A number of third party submissions consider that the Daylight / Sunlight and Shadow Assessment provided with this application differs in its findings when compared to the Daylight / Sunlight and Shadow Assessment provided with the previous LRD application which pertained to the site. It is not my role to assess the previous proposal or any of the reports submitted in connection with that application. My role is to assess this current application on its own merits in the context of nationally acceptable guidelines.

In this regard I note that the application differs to the previous proposal in a number of respects, as set out in section 3.3 of this report. In that context, I would expect the Daylight / Sunlight and Shadow Assessment to differ from the previous proposal.

Noise impacts

8.4.17. A number of submissions raise concerns relating to potential noise impacts from the proposed development during both construction and operational stages, with anti-social behaviour and associated noise also being a concern. There is also criticism that the Noise Impact Analysis Report (NIAR) does not include proposed measures to mitigate noise impacts from the proposed development.

8.4.18. I note that the NIAR focuses mainly on the impact that the proposed plant would have on the receiving environment. It notes that the proposed development is located in a busy suburban area positioned near commercial and residential uses. Sensitive receptors surrounding the site comprising commercial developments to the west and residential housing to the east and south are identified. Following the noise survey, the report concludes that all plant will be housed in internal plant rooms constructed using blocks / concrete providing a good sound barrier, and as such noise emissions are relatively low. The report considers that while any additional development will most likely

add noise to an area, the impact of the proposed development on existing background noise is negligible and therefore the proposed development is compliant with regulations. Should the Board decide to grant permission I recommend inclusion of a condition requiring adherence to the specified mitigation measure outlined in the report, which is that the plant room walls and access points facing external areas to have minimum noise reduction capability of greater than or equal to 30dB.

- 8.4.19. While I accept that there will be noise generated as a result of the construction process, such impacts will be short-term and temporary in nature. These impacts will be mitigated through standard construction practices and measures identified in the Construction Management Plan (CMP). Further, I note that Condition 20 of the Council's decision relates to noise during the construction and demolition phases. I recommend inclusion of this condition should permission be granted.
- 8.4.20. As with any development, it is inevitable that the proposed development will generate noise at operational stage. I would not anticipate that the noise generated by the proposal would be out of the ordinary, given that a residential use is proposed for the site which is located in an urban area.
- 8.4.21. I note that the planning application includes a comprehensive Operational Student Accommodation Management Plan for the proposed development. It notes that there will be 24 hour on-site personnel available, who will be first responders for emergencies and will undertake regular patrols of the interior and exterior of the buildings. The Management Plan notes that there will be a prohibition of alcohol consumption in communal open areas at all times and that the operator will utilise an escalation process to deal with anti-social behaviour and will work closely with the universities and their disciplinary procedures. Page 13 of the Management Plan details how anti-social behaviour will be managed and a complaints procedure for residents and neighbours is also set out.
- 8.4.22. In conclusion I do not anticipate that the operational noise from the proposed development would be so significant that it would warrant a refusal of permission. The proposed residential development is located in an urban area. A comprehensive Operational Student Accommodation Management Plan is provided which sets out available supports for residents along with procedures to deal with complaints and anti-social behaviour.

- 8.4.23. **Residential Standards of Proposed Development:** Third party submissions contend that the standard of proposed residential accommodation is not of sufficient quality, that the quantum of amenity spaces is not calculated correctly and that the proposal is substandard. As detailed in section 8.2.5 of this report, the purpose of the proposed studio units is to provide for temporary accommodation during the academic year. As such the studios are not required to meet the same standards in an apartment scheme which would be occupied on a permanent basis. This proposed development of student accommodation is not bound by the requirements of the Apartment Guidelines, and therefore issues of room sizes, amenity spaces and orientation etc. do not apply. Notwithstanding, I note that Objective 11.6(d) of the Cork City Development Plan states that adequate external communal space should be provided, with a PBSA bed space being considered to be equivalent to a mainstream studio apartment for the purposes of calculation. 2335.5 sqm of external amenity space is indicated as being provided in this application equating to 5.7 sqm per bedspace, which is 1.7 m per bedspace more than the requirement set out in the Apartment Guidelines (4 sqm per bed space).
- 8.4.24. The development is divided up into clusters with each cluster having its own kitchen / living / dining space. Further, studio units are proposed with a kitchen area, study and enclosed bathroom contained therein. 73 Studios and 14 Clusters (serve between 3 and 7 bed clusters) are proposed in Block A, while Block B accommodates 43 Clusters (serve between 3 and 7 bed clusters). The ADS (page 57) includes a typical floor plan of studio unit. A Schedule of Accommodation is provided in section 6 of the ADS. The submitted Housing Quality Assessment provides full details on floor area in addition to detailing the clusters in Blocks A and B and studios in Block A.
- 8.4.25. I consider the floor areas and associated cluster facilities to be acceptable. Ancillary facilities are provided in both Blocks A and B. Block A, at ground floor level, incorporates a café (80 sqm), a library / study area (76.2 sqm), a laundry (27.6 sqm), a games room (38.9 sqm), a lounge (60.6 sqm), and a gym (111.6 sqm). At ground floor level in Block B, a lounge (60.7 sqm) and a study room (72.8 sqm) are proposed. I am satisfied that the floor plan drawings accurately depict the stated size of the internal amenity areas.
- 8.4.26. The Landscape Masterplan indicates five primary areas of external amenity and indicates more than 2300 sqm of external open space excluding western courtyards. Planting of 167 no. semi-mature trees are proposed throughout the site. External

amenity spaces comprise lawned areas including an appropriately equipped exercise lawn at the northeast of the site, and an urban woodland proximate to the southern site boundary. I am satisfied with the quality and quantum of proposed external space provided which equates to 5.7 sqm per bedspace

Daylight and sunlight provision within the proposed development

8.4.27. The Sunlight, Daylight and Shadow Assessment provided with the planning application includes details on daylight for each of the bedspace units including the studios. Both the BRE 2022 guidelines and BS EN 17037 provide guidance on target illuminance levels, recommending that at least 50% of a horizontal reference plane achieves the following target illuminances over at least half the daylight hours within a year: 100 lux for bedrooms, 150 lux for living rooms and 200 lux for living / kitchen / diners. In Block A 96% of the rooms comply with the requirements while in Block B 99% of the rooms comply with the requirements. Within Block A two of the studio fail the tests and 4 others are categorised as 'marginal'.' In Block B one bedroom in a cluster unit marginally failed the test.

8.4.28. Sunlight to living rooms is also assessed with 82% of all living rooms receiving 1.5 hours of sunlight on the test day of 21st March which is stated to be consistent with the BRE 'careful layout design' 80% target.

External spaces

8.4.29. Page 35 of the Sunlight, Daylight and Shadow Assessment includes a graphic which shows the external areas in receipt of 2 hours of sunlight on the 21st March in accordance with BRE guidelines. It is clear that the open spaces to the east and south of the site comply with the BRE requirement.

8.4.30. I note the Sunlight, Daylight and Shadow Assessment and its findings and overall I am satisfied that the proposed development is acceptable in terms of receipt of daylight and sunlight as the results of the tests indicate good levels of daylight and sunlight. The needs and lifestyle of the residents of this PBSA facility are different than in the case of an apartment scheme. Students in this scheme will not be living here on a permanent basis and are likely to spend a significant proportion of their time off site than in the case of a standard residential development. Compensatory measures are in the form of the ancillary uses, including amenity provision available within the development in addition to external communal open space. Details of outdoor amenity

provision is detailed in the submitted 'Landscape Strategy' and in the Landscape Masterplan. Whilst a small number of units some units are below the recommended standard for a residential development in terms of daylight / sunlight provision, I am satisfied that the achieved results are acceptable for a development of this nature.

- 8.4.31. **Conclusion on Residential Amenity and Standards of Proposed Development:** I am satisfied that the proposed development will not have a significant negative impact on adjoining properties in terms of loss of daylight / sunlight to internal rooms and in terms of sunlight receipt to outdoor amenity space. I do not anticipate that the operational noise from the proposed development, which is located in a busy urban area, would significantly add to existing noise levels in the area. I am satisfied that the two blocks of accommodation containing associated internal amenity areas and external amenity spaces provide for a good standard of amenity for the future residents of this PBSA facility.

Matters Arising

- 8.4.32. A number of third party submissions contend that the proposal would be in contravention to Objectives ZO 1.1 and ZO 1.2 of the Cork City Development Plan. These objectives require the provision and protection of residential uses and residential amenity associated with the 'Sustainable Residential Neighbourhoods' zoning pertaining to the site, and require development to respect the character and scale of the neighbourhood in which it is located. Having regard to the findings reached on foot of my assessment in relation to the impact of the proposed development on the character of the area and impact on residential amenity as set out above, I am satisfied that the proposal does not contravene objectives ZO1.1 and ZO 1.2 of the Cork City Development Plan.

8.5. **Assessment of the proposed development against Objectives 3.8 and 11.6 of the City Development Plan**

- 8.5.1 Objective 3.8 seeks to ensure that student housing demand is met by PBSA as far as possible subject to criteria relating to, inter alia, location and quality of development. Objective 11.6 also relates to PBSA and sets out specific criteria which will be used to assess proposals for this accommodation type. In Tables 3 and 4 below I assess the proposed development against Objectives 3.8 and 11.6 respectively.

Table 3: Objective 3.8 Purpose Built Student Accommodation

Objective 3.8 Purpose Built Student Accommodation

The planning authority will seek to ensure that student housing demand is met by Purpose-Built Student Accommodation as far as possible, provided that:

a) Student accommodation is provided in locations accessible to higher-level education campuses by walking, cycling or public transport, and ideally in the City Centre, City Docks, urban centres and mixed use redevelopment schemes of brownfield sites.

The subject site is located approximately 1.4 km and 1.8 km from UCC and MTU respectively. It is well connected in terms of its location on Model Farm Road which is served by several existing bus services. The site will also be served by BusConnects STC E. Further, the EPR for a new Luas service in Cork is proposed proximate to the site. The route will stretch from Ballincollig to Mahon Point and would stop at 25 locations including at MTU, CUH and UCC. The proposed nearest stop to the development would be at Dennehy's Cross, approximately 280 m east of the site.

While the proposed development is not located in any of the four areas as set out under criteria (a) of this Objective, my interpretation is that this is not a requirement, but a preference. The Development Plan does not preclude a PBSA development at this location. Given the site is in a highly accessible location to third level campuses I am satisfied that it would accord with criteria (a) of Objective 3.8.

<p>b) At the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood.</p>	<p>The proposal includes a café use that could be used by the wider community. In this regard the scheme would contribute to an inclusive neighbourhood.</p> <p>The submitted Student Accommodation Demand and Concentration Report finds that 24% of people living within 1 km of the site would comprise students following completion of the proposed development. This compares with 22% in 2022 based on the Census 2022 Small Area Data.</p> <p>Within this wider neighbourhood there are a wide range of housing types and diversity in the population. In my view the proposal would not result in an imbalanced community or conflict with the community profile of this area. (See section 8.8 of this report).</p>
<p>c) The scheme is of a high quality and meets the needs of students.</p>	<p>In my view the proposed development is of high quality. Proposed external finishes, hard and soft landscaping, active frontages and public realm improvements on Model Farm Road are examples of high quality design elements.</p> <p>Total proportion of studios is 18%, compared with approximately 50% in the previous proposal. This constitutes a better approach and is more appropriate.</p>

	<p>Ancillary facilities are provided in both Blocks A and B. Block A, at ground floor level, incorporates a café, a library / study area, a laundry, a games room, a lounge and a gym. At ground floor level in Block B, a lounge and a study room are proposed. Such facilities will meet the needs of students. Total internal amenity space is 718 sqm or 1.7 sqm per student.</p> <p>Total external amenity space is 2335 sqm or 5.7 sqm per student. The submitted Daylight, Sunlight and Shadow Assessment confirms that these spaces will receive appropriate levels of daylight / sunlight.</p>
--	---

Table 4: Objective 11.6 Purpose Built Student Accommodation

Objective 11.6 Purpose Built Student Accommodation Development proposals for purpose-built student accommodation will be assessed against the following criteria:	
a) The proposed use is consistent with the land use zoning objective.	The proposed use, a PBSA is a residential use that is permissible under the applicable zoning objective for the site, ZO 1 'Sustainable Residential Neighbourhoods'.
b) The proposed development provides adequate external communal space for the needs of the development, with a purpose-built student bed space being	The Apartment Guidelines set out communal open space standards under which studio apartments require provision of 4 sqm of communal open

considered equivalent to a mainstream studio for the purposes of this calculation.	<p>space. In this application total external amenity space is 2335 sqm or 5.7 sqm per student. These are provided in the forms of courtyard areas, gardens and lawns. Such provision is in excess of the Apartment Guidelines.</p> <p>The submitted Daylight, Sunlight and Shadow Assessment confirms that external spaces will receive appropriate levels of daylight / sunlight.</p>
c) The quantum of bed spaces does not undermine the ability of Cork City Council to achieve its Housing Need Demand Assessment (HNDA) targets.	A review of planning applications relating to PBSA finds that the indicative target of 3,500 bedspaces in the Development Plan has not been achieved. The proposed development would not exceed the overall target of student bedspaces; nor would the number of residential units set out in the core strategy of the city Development Plan for the south-western city suburbs be surpassed as a result of the proposed development. (See section 8.8 of this report).
d) The quantum of purpose-built student accommodation development does not result in a neighbourhood with a disproportionate proportion of residents being students in order to ensure residential amenity and a balanced community.	The submitted Student Accommodation Demand and Concentration Report examines a study area comprising 43 Small Areas (based on the Census 2022 Small Areas) within a 1 km radius of the site. The report finds that 24% of people living within 1 km of the site would comprise students following completion

	<p>of the proposed development. This compares with 22% in 2022 based on the Census 2022 Small Area Data. Within this wider neighbourhood there are a wide range of housing types and diversity in the population. As such, I am satisfied that the proposed development would not result in an imbalanced community or conflict with the community profile of this area. (See section 8.8 of this report).</p>
<p>e) The proposed development includes ancillary uses (e.g. health services / café / convenience shop) at ground floor level in locations not served by convenient services.</p>	<p>The proposed development is located in an area which is well served by convenient services, with a range of such services available in the immediate vicinity e.g. shops, restaurants, church. The proposed development includes a café (80 sqm) in Block A, proximate to the entrance to the facility.</p>
<p>f) Accommodation is provided to the quantitative standards set out in National Guidelines for student accommodation.</p>	<p>The Housing Quality Report sets out a breakdown of the proposed accommodation relative to National Guidelines for student accommodation and the proposed development accords with these. I note however that these Guidelines are not Section 28 Guidelines and as such they would not, in my view, need to be strictly applied in assessing the proposed development. While they do not refer to the provision of studio units, which are frequently a feature of recent PBSA schemes, this does not indicate</p>

	that the provision of such units renders the proposed development substandard.
g) The proposed development includes internal communal facilities sufficient to meet the needs of the development. Schemes should include communal facilities appropriate to the scale of the development, including communal lounges; games rooms; bookable study rooms; gym; and TV / cinema room.	Ancillary facilities are provided in both Blocks A and B. Block A, at ground floor level, incorporates a café, a library / study area, a laundry, a games room, a lounge and a gym. At ground floor level in Block B, a lounge and a study room are proposed. Such facilities will meet the needs of students. Total internal amenity space is 718 sqm or 1.7 sqm per student.
h) The proposed development includes ancillary facilities adequate to meet the needs of the development, including refuse facilities, car parking and cycle parking.	<p>An Operational Waste Management Plan (OWMP) demonstrates that proposed bin stores will adequately serve the development.</p> <p>Noting that the site is well served by public transport and is also located on the BusConnects STC Route E, I consider the proposed car parking spaces (4) to be acceptable at this location. Disabled persons will have access to parking spaces.</p> <p>A total of 222 bicycle parking spaces are proposed to serve the facility with the vast majority covered.</p>
i) The building/ complex is designed to minimise impacts on the surrounding area (e.g., by building noise mitigation strategies and configuration of external amenity spaces).	All external amenity spaces are designed / sited to ensure that no undue impacts arise on the residential amenity of the area.

j) At least 10% of bed spaces are designed for disabled students.	The ADS confirms that 42 of the proposed bedspaces are designed to be universally accessible. These units are dispersed around the proposed development.
k) Facility Management Plans will be required to provide a clear framework for the management of the facility to meet the needs of students and the wider neighbourhood.	A comprehensive Operational Student Accommodation Management Plan is submitted with the application. The Plan outlines the manner in which the PBSA will be managed with reference to, inter alia, staffing, security, maintenance, anti-social behaviour, and complaints procedure.
l) Schemes should provide for potential future adaptability for alternative uses, for example mainstream residential use, should such a scenario ever arise. Planning applications should include a "Building Adaptation to Alternative Use Strategy" to ensure that this has been considered at design stage.	An Adaptation to Alternative Use Strategy is included in the Architectural Design Statement. It states that 'other uses could be considered and implemented in future, all facilitated by the proposed design, site layout, internal organisation and services strategy.' I consider that the proposed development could potentially be adapted to conventional apartments in the future.

8.5.2 Conclusion

I note that a number of third party submissions consider that the proposed development constitutes a material contravention of Objectives 3.8 and 11.6 of the City Development Plan as they relate to PBSA developments. However my analysis of the proposal against the criteria as set out within both aforementioned Objectives, as detailed above, confirms that the proposal aligns and accords with Objectives 3.8 and 11.6 of the City Development Plan.

8.6. **Transport Considerations**

- 8.6.1. The appeals raise concerns relating to the lack of parking provision, inadequate bicycle parking provision, the proposed access arrangement, that transport infrastructure in the area is inadequate to cater for the proposed development and the submitted Mobility Management Plan.

Parking provision

- 8.6.2. Four car parking zones have been established for the city and details of these are set out in Table 4.6 of the City Development Plan. Chapter E of Volume 2 indicates the four parking zones and it is apparent the subject site is located in Zone 3 (City Suburbs and Urban Towns). In terms of parking management, section 4.99 of the Development Plan notes that the Council will continue to encourage a shift towards increased use of sustainable transport.
- 8.6.3. Table 11.13 provides information on maximum car parking standards and indicates a maximum standard of one parking space per 10 bed spaces in Zone 3. A total of four car parking spaces are proposed, including three accessible spaces. These are stated to be for the use of employees and disabled persons. I note that the appeal site is highly accessible and it is served by frequent bus services along Model Farm Road, with buses serving both UCC and MTU. The submitted Mobility Management Plan for the site, which I consider to be acceptable, outlines available travel options for prospective residents. In its assessment of the proposal the planning authority noted that the site is within easy walking distance of services at Dennehy's Cross and is less than 3 km from the city centre. It notes the scale of car parking provision meets sustainable transport objectives for the city and is supported considering the accessibility from the site to both UCC and MTU. It is against this context that the proposed parking provision is deemed to be appropriate and I fully concur with this view. I note a third party considers that the proposed café should have the benefit of car parking provision. Given the very accessible location of the site which is served by frequent bus services and within walking distance of the city, I do not agree that car parking is required for the proposed café.
- 8.6.4. In terms of disabled parking provision the City Development Plan at section 11.244 states that 5% of car parking spaces provided should be set aside for disabled car parking. In this case, four spaces are provided and disabled car parking provision

equates to 75%, i.e. 3 out of 4 spaces, which is in excess of Development Plan standards.

- 8.6.5. Concerns are raised that students who use cars will park their vehicles in adjoining or nearby residential areas. While I accept that this is a real possibility, unauthorised parking in residential areas is an enforcement matter, having regard to the requirements for resident's parking / parking permits in residential neighbourhoods proximate to the site.
- 8.6.6. Bicycle parking requirements are set out in Table 11.14 of the Development Plan, with student apartments having a cycle parking requirement of 0.5 per bed space, resulting in a requirement for 204 bike spaces. The proposed development will provide 222 such spaces, including 18 spaces for visitors. Such provision is acceptable and exceeds minimum standards.

Active travel infrastructure

- 8.6.7. Concern is raised in relation to the quality of footpath and cycle lane infrastructure in the vicinity of the site on the basis that they are in an unsuitable state / condition to cater for the proposed development. During my visit to the site and the wider area it was apparent that existing footpaths and cycle lanes are of mixed standard in the vicinity of the site. Details of the BusConnects E route indicate provision of new cycle lanes, footpaths and bus stops in the area. Further, a pedestrian crossing is proposed to cross Model Farm Road, outside the site. I consider that the transport infrastructure in the area is sufficient to cater for the proposed development, and it will be improved upon completion of the BusConnects E route serving Model Farm Road.

Site Access

- 8.6.8. There is a single access point to the proposed development which will serve pedestrians, cyclists and also facilitate restricted vehicular access. Horgan Lynch Consulting Engineers has provided a report demonstrating how the proposed development is consistent with the Design Manual for Urban Roads and Streets (DMURS).
- 8.6.9. I am satisfied that the location of the site access is appropriate, allowing for good sightlines along Model Farm Road and easy access for cyclists onto the existing cycle lane / carriageway. Proposed sightlines are these are acceptable for a site within a built

up urban location. The primary movements to and from the proposed access will be bicycles and pedestrians. 4 no. car parking spaces are proposed on site which will result in very low numbers of traffic movement to and from the site. Having regard to the Cork City Council reports, I consider the proposed vehicular entrance to be acceptable at this location.

Mobility Management Plan

8.6.10. The submitted Mobility Management Plan (MMP) outlines, inter alia, available travel options for prospective residents and it is acceptable for the purposes of assessing the proposed development from this standpoint. Condition 28 of the planning authority's decision requires, inter alia, relatively regular reviews of the MMP to provide oversight of mobility issues associated with the proposed development. Should permission be granted by the Board, I recommend inclusion of this condition in the Board Order.

8.6.11 **Conclusion on Transport Considerations:** I am satisfied that the proposed access is acceptable in terms of vehicular / pedestrian and cyclist safety and is appropriate in terms of achievement of sightlines. The proposed scheme is designed on the basis of residents using active and sustainable forms of transport and the site is well served by public transport in addition to adequate provision of bicycle parking on site.

8.7. Infrastructure and Flood Risk

8.7.1. Water supply and foul drainage: Uisce Éireann (UÉ) has reported no objection to this proposed development in principle. In this regard a Confirmation of Feasibility (COF) issued to the applicants advising that both water and wastewater connections are feasible without infrastructure upgrades. UÉ raised no concerns regarding available water supply and foul drainage capacity, although the latter was referenced in the third party submissions. The UÉ Capacity Register for Water Supply indicates there is capacity available to meet 2033 population targets – Level of Service improvement is required. In terms of foul drainage capacity, the UÉ Capacity Register for Cork City indicates the Carrigrennan WWTP has spare capacity available. Having regard to this information, I do not foresee any problems with available capacity in this area and I consider the existing infrastructure in place can accommodate the increased density proposed on this site.

8.7.2. Surface Water Drainage: Concerns are raised in the third party submissions that stormwater considerations may not have been fully evaluated and that design of the

surface water system relies heavily on infiltration measures noting that the site bedrock comprises limestone.

8.7.3 I note that the applicant has provided full details of surface water drainage arrangements for the proposed development as part of the submitted Engineering Report. Detailed stormwater design calculations are included in this report. The storm water drainage strategy comprises on-site infiltration and attenuation measures. Both measures are designed to work together to provide minimum discharge for the average rainfall events and reduced discharge for short duration storm events. Several SuDS measures are proposed including green roofs, permeable paving, infiltration basins and tree pits. The proposed storm drain layout plans show the locations of proposed SuDS features and attenuation tanks. While a third party submission has expressed concerns regarding the limestone geology of the site, I do not foresee any issues of concern in this regard.

8.7.4 I note that Cork City Drainage Division raised no objection to the proposal subject to conditions. I am satisfied that the proposed drainage strategy is acceptable. Should permission be granted, I recommend inclusion of a condition requiring drainage arrangements including the attenuation and disposal of surface water to comply with the requirements of the Planning Authority, and also that Stage 2 and 3 Stormwater Audits are undertaken.

8.7.5. Flood Risk: A third party submission indicates the site flooded 45 years ago. The Cork City Council Drainage Division reported no objection subject to conditions. No watercourses traverse the site or flow adjacent to the site. The Glasheen River flows approximately 385 m to the east, while the Curragheen River flows approximately 453 m to the north. The subject site is not located within Flood Zones A or B. This fact was noted by Cork City Council, which raised no issues of concern regarding flooding. From the available information I am satisfied that the proposed development will not be impacted by flooding and will not give rise to flooding of adjoining lands.

8.7.6 Conclusion on Infrastructure and Flood Risk: I am satisfied that the applicant has provided adequate information in relation to water supply and drainage. This serviced site is not located in Flood Zones A or B and I am satisfied that the proposed development will not be impacted by flooding and will not give rise to flooding of adjoining lands.

8.8. **Concentration of student accommodation**

8.8.1 There are three third level colleges in the vicinity of the appeal site. UCC is located approximately 1.4 km away, MTU is approximately 1.8 km from the site, while CUH is located within 1.5 km. The site is well located, along an accessible route to these third level institutions which has the benefit of high frequency transport services which will be enhanced in the future. Having regard to the rising population, there will be a greater need for student accommodation and in my view it constitutes good planning to locate student accommodation proximate to accessible routes to the colleges.

Third party submissions contend that the proposed development would result in an over-concentration of student accommodation in the area, referencing a relatively recently permitted scheme at the former Galvin Motor Dealership at Victoria Cross Road and Orchard Road in Bishopstown, which is to provide for 206 student bedspaces, and is, by my calculations, located approximately 420 m north-east of the appeal site. There is concern that the proposal would undermine the established diverse residential tenure and amenity in the area and would be in conflict with the suburban family profile of this area. Further, a third party submission considers that the proposed development would contravene Objective 2.17 'Neighbourhood Design' of the Development Plan on the basis that student accommodation may affect community cohesion.

8.8.2 The planning authority's report cites the decrease in the number of proposed bedspaces, the lower density of development and the submission of a detailed Student Management Plan as factors which enable favourable consideration of the proposal compared to the previous application. The report does not state there is an excessive concentration of student accommodation in the area.

8.8.3 The immediate surrounding area is suburban in character with a variety of uses evident including adjoining low density residential development, commercial uses including a filling station and additional commercial uses at nearby Dennehy's Cross to the east. There is no PBSA in the immediate vicinity of the site. Existing student accommodation at Victoria Lodge and The Crow's Nest are located at Victoria Cross Road approximately 750 m from the subject site. There are also extant permissions for student accommodation in the wider area as identified by the planning authority, including at:

- Rossa Avenue (205 bedspaces, Ref. ABP- 316101-23 refers) located approximately 1.5 km from the site,

- Kelleher's Auto Centre, Victoria Cross, Bishopstown (243 bedspaces, Ref. ABP-310105-21 refers) located approximately 600 m from the site,
- Kelleher's Tyres, Victoria Cross Road (154 bedspaces, Ref. ABP 306714-20 refers), located approximately 600 m from the site, and
- Former Finbarr Galvin Site, Victoria Cross Road (206 bedspaces, Ref. ABP-314277-22 refers), located approximately 442 m from the site.

8.8.4 The applicant has provided a Student Accommodation Demand and Concentration Report which examines a study area comprising 43 Small Areas (based on the Census 2022 Small Areas) within a 1 km radius of the site. The report finds that 24% of people living within 1 km of the site would be students following completion of the proposed development. This compares with 22% in 2022 based on the Census 2022 Small Area Data. In terms of the particular Small Area, where the proposed development would be located (identified as Small Area No. 19 in the report, which relates to Census 2022 Small Area Ref. 048008001), delivery of the proposed development would increase the percentage of students in this area from 12% to 63%, resulting in the wider study area's student concentration increasing to 24%, as identified above.

8.8.5 While I acknowledge that PBSA developments have been permitted in the general vicinity of the subject site, as set out in section 8.8.3 above, I do not concur with the view that the anticipated proportional increase in the number of students from the proposed development would be excessive and would result in the undermining of the established residential tenure and amenity in the area. In this regard, while noting an anticipated increase in the number of students within Small Area No.19 from 12% to 63%, it is important to note that CSO Small Areas are utilised primarily for administrative and statistical purposes. In my view the proposed increase of 2% in the student population in the wider neighbourhood (as measured in the Student Concentration Report which examined a 1 km radius from the appeal site) is the more relevant statistic. Within this wider neighbourhood there are a wide range of housing types and diversity in the population. As such, I am satisfied that the proposed development would not result in a neighbourhood with an imbalanced community or conflict with the community profile of this area. I do not consider that the proposed development would affect community cohesion in an adverse manner. On the contrary,

I consider that the proposed development would potentially foster a sense of community and identity at this location. For instance, the proposed café would offer an opportunity for all residents in the area to meet and interact. In my view, the proposed development would not contravene Objective 2.17 of the Development Plan.

HNDA Targets

- 8.8.6 Concern is raised that the proposed development materially contravenes the targets in the HNDA by allowing one development to take up all the remaining allocation of bed spaces earmarked for the private sector, for the remaining period of the plan.
- 8.8.7 Objective 11.6(c) of the Development Plan states that the quantum of bed spaces should not undermine the ability of Cork City Council to achieve its HNDA targets. Table 3.6 of the Development Plan reflects indicative targets set out in the HNDA for PBSA bedspaces on an annual basis over the Development Plan period, including the potential provider of these bedspaces. The table outlines an indicative target for an additional 3,500 student accommodation bedspaces by 2028. Section 3.38 of the Plan notes that the targets in Table 3.6 are over and above those completed or in the process of being delivered at the time of the writing of the Plan.
- 8.8.8 The planning authority's report (page 16) identifies five PBSA developments which have not commenced, equating to a total quantum of 902 bedspaces. An additional 408 bedspaces as proposed in this development amounts to a total of 1,310, which is above the total combined MTU / UCC and private providers targets for 2025 and 2026 (equating to 1,160 bedspaces). However, if planning permission is granted, the development is unlikely to be available until 2027 at the earliest.
- 8.8.9 Given the indicative nature of Table 3.6 in terms of PBSB provision and targets, I do not consider that the over-provision of an annual indicative target figure by any provider indicated in the table would materially contravene the City Development Plan relating to the quantum of PBSA for the Plan period. It is not guaranteed that any of the named providers in Table 3.8 would be in a position to provide PBSA in the manner set out in the table and it is my view, given the indicative nature of the information provided in the table, that a degree of flexibility would be acceptable, having regard to the overall indicative target number of bedspaces set for Cork city.
- 8.8.10 A review of planning applications relating to PBSA is not suggestive that the indicative target of 3,500 bedspaces has been achieved. There is no evidence that demonstrates

the proposed development would exceed the overall target of student bedspaces or that the number of residential units set out in the core strategy of the City Development Plan for the south-western city suburbs would be surpassed as a result of the proposed development.

8.9. Other Matters

8.9.1. Lighting: Concern is raised in relation to potential light pollution from the proposed development. An External Public Lighting report has been provided with the planning application which indicates public lighting would be to industry standards. Should permission be granted I recommend inclusion of a condition requiring lighting details to be agreed with the local authority. Bat friendly lighting should be incorporated as part of the lighting scheme.

8.9.2. Environmental issues: Concerns are raised that the application does not include sufficient environmental impact assessments of the proposed development. I note that the applicant has provided both an Appropriate Assessment Screening Report and an Environmental Impact Assessment Screening Report, which contains Schedule 7A information in relation to the proposed development. This information is assessed in detail in Sections 9 and 10 of this report and within the Appendices. I am satisfied that sufficient information relating to Appropriate Assessment and Environmental Impact Assessment is provided to allow for a full and proper assessment of the proposed development to be undertaken.

I note submissions received stating that there are bats in the vicinity and / or resident in the adjoining areas. The AA Screening Report confirms that walkover surveys of the site were undertaken to identify habitats, flora and fauna present. The applicant has confirmed that the project ecologists did not raise any possible locations for bat roosts on foot of the walkover surveys. While there may be bats in the area, there is no evidence has been provided which indicates the presence of bats roosts at the subject site.

8.9.3. Subsidence concerns: The appeal submitted by Gerard O'Mahony includes a report from Barden Chapman Consulting Engineers in which concern is raised that details relating to site investigations are not provided and that without subsurface data the suitability of ground conditions cannot be assessed. Subsidence concerns are raised in this context. It is contended that there is insufficient information to assess the proposed

basement construction and that of retaining structures at the western and southern site boundaries. The report of Barden Chapman Consulting Engineers notes that geotechnical investigations were undertaken and included 5 no. Rotary Core Boreholes, 2 no. Variable Head Permeability Tests, installation of 2 no. groundwater monitoring wells and geochemical laboratory testing.

- 8.9.4. The applicant contends that it is not the role of the planning process to assess the adequacy of specific engineering details, but to assess their impact and states that exact construction details such as foundation particulars are typically designed post-permission. The applicant's response states that given the distance between the proposed development and existing properties the impact of the proposed development on the structural integrity of adjacent properties is not considered to be an issue.
- 8.9.5. I note that the relationship between the proposed and existing developments are illustrated in the 'proposed' section drawings provided with the planning application, and the distance to boundaries is shown on the basement floor plan, in compliance with Article 22 of the Planning and Development Regulations 2001 as amended. I note the separation distances proposed between the new development and existing housing at the western side of Woodlawn which ranges from approximately 7 m (16 Woodlawn) to 40 m (19 Woodlawn). The proposed basement to contain plant and a tank room is located in Block B and is relatively small in size at approximately 75 sqm.
- 8.9.6. It is apparent that the applicant provided information in connection with subsurface exploration and ground conditions in the Waste Classification Report prepared by GII and submitted with the planning application. Appendix 2 contains trial pit records while Appendix 3 includes laboratory testing results. The applicant's response to the appeals also includes a Ground Investigation Report prepared by GII which includes information relating to, inter alia, trial pit records, rotary core records, variable head permeability and groundwater monitoring information.
- 8.9.7. The response includes a file note from Horgan Lynch Consulting Engineers which notes that the findings of the geotechnical site investigation are generally consistent with ground conditions of the area and do not comprise anything of concern. It advises that there is nothing which suggests that sub-structure works would adversely affect any adjoining properties. The file note concludes by stating that a comprehensive design of

the sub-structure will be carried out during the detailed design stage of the project which will ensure that there is no impact on adjoining properties.

8.9.8. Having regard to the foregoing, including the separation distances between the proposed development and adjoining houses (Table 2 refers) along with the information contained in the Ground Investigation Report and the conclusion contained in the file note from the applicant's consulting engineers, I consider that the proposal would not cause subsidence impacts. A suitable condition to carry out a photographic survey to record the condition of existing adjoining properties can be attached in the event of a grant of planning permission. This survey can be provided to the planning authority.

8.9.10. Boundary with Laburnum Lawn: Concern is raised relating to unsafe boundary conditions between the subject site and No. 19 Laburnum Lawn comprising a drop of 6 m. I note that ground levels across the site rise by approximately 7 m from the northern boundary at Model Farm Road (c 17 m OD) to the southern boundary adjoining properties at Laburnum Lawn (c 24 m OD). Boundary treatments are detailed on Landscape Drawing No. L202. Proximate to the southern boundary, an internal retaining wall to 3 m in height is proposed, while a 1.8 m high fence is to be installed inside the boundary ditch, before the land falls away towards the proposed development. I note that the Parks Department did not raise an objection to the proposed boundary treatment. I am satisfied that the boundary treatment at this location is acceptable.

8.9.11. Construction Management: A submission considers that the Construction and Demolition Waste Management Plan is deficient given that the quantum of soil to be excavated is not provided. Further, there is criticism that no Construction Method Statement is provided. I note that a Construction and Demolition Waste Management Plan was provided with the application. Should permission be granted I recommend inclusion of a condition requiring the submission of a Resource and Waste Management Plan to accord with the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021). In addition I recommend inclusion of a condition requiring the provision of a comprehensive Construction Management Plan for the agreement of the planning authority which provides details of intended construction practice for the development.

8.9.12. Procedural matters: There is some commentary in submissions relating, inter alia, to the content of the Board Direction relating to the previous LRD application and appeal

on this site, and procedures relating to the Board meeting. My focus in this report is to assess the current LRD application and associated third party submissions, rather than to comment on a previously decided case or process.

- 8.9.13. There is criticism that a section 247 meeting was not held in respect of the proposed development and that only four planning authority representatives attended the LRD Meeting. I note from the file that the planning authority was not in a position to hold a pre-application consultation meeting within the time limits specified under section 247 of the Planning and Development 2000, as amended. In this situation, there is provision in the LRD legislation for the applicant to proceed to the next stage of the LRD planning application process, which is the LRD meeting and this is what occurred in this case.
- 8.9.14. While concern is raised regarding the number of planning authority representatives who attended the LRD meeting, I note that technical and administrative personnel from the Development Management Section, the Environment Section and the Architects Department attended the LRD meeting. I am satisfied that the planning authority's subsequent pre-application opinion report raised appropriate and relevant matters to be considered by the applicant prior to lodgement of the LRD application.
- 8.9.15. A submission notes that the NTA did not comment on this LRD application. Notwithstanding, I note from the file that the NTA along with other prescribed bodies were invited to comment on this application by the planning authority (Section 4.2.3 of this report refers).
- 8.9.16. A submission was received which questions the validity of the planning application in terms of the Planning and Development Regulations 2001 as amended on the basis that drawings of subterranean features / foundations were not submitted at application stage. In terms of this procedural matter and the alleged irregularity, I note that the planning authority considered the drawings provided with the application to be acceptable.
- 8.9.17. Devaluation of property: The appeal submitted by Woodlawn Residents Association encloses an opinion from an estate agent that the market value of properties in Woodlawn, particularly those along the eastern boundary, would decrease substantially should the proposed development be constructed, having regard to anticipated issues relating to reduced daylight, overshadowing and loss of sunlight.

8.9.18. I note the concerns raised in respect of the devaluation of neighbouring property.

Section 8.4 of this report has examined the potential impact of the proposed development on the residential amenities of adjoining areas including existing houses in the Woodlawn estate. A comprehensive 'Sunlight, Daylight and Shadow Assessment' is provided with the application, and it assesses potential impacts on residential development proximate to and adjoining the appeal site, including those at Woodlawn. The submitted Daylight / Sunlight and Shadow Assessment demonstrates that the houses adjoining and proximate to the proposed development will retain appropriate levels of daylight and sunlight to internal rooms, and will not suffer from a significant negative impact in terms of sunlight receipt to outdoor amenity spaces as a result of the PBSA development. I concur with the findings of the Daylight / Sunlight and Shadow Assessment. These findings do not align with those as set out in the correspondence from the estate agent, which, I note refers to 'anticipated' impacts, that have not been demonstrated as being accurate or factual.

8.9.19. **General Comments:** The application includes an 'Energy / Climate Impact Analysis Report' in support of the application. This outlines information on the project's energy status and carbon dioxide emissions, which have been analysed to ensure provision of an energy efficient building. Proposed BER Rating is B3. Renewable energy technologies to be used include solar panels for hot water and / or space heating, PV panels for electrical energy for all electrical requirements and heat pumps. There is no proposal at present for district heating in the area. The submitted details are acceptable.

8.9.20. The application includes a Building Lifecycle Report which sets out measures to effectively manage and reduce costs for the benefit of the future residents. Building materials for use on elevations and in the landscaped open space are durable and will not require regular maintenance or replacement. High quality and long-lasting materials will be chosen in the public, semi-public and private areas which will contribute to lower maintenance costs for future student occupants. The report notes that as the building design develops the Building Lifecycle Report will be updated over the lifespan of the development. The submitted report is acceptable.

8.9.21. An Operational Waste Management Plan (OWMP) is provided which presents a waste strategy in accordance with best practice guidelines for the proposed development. All recyclable materials will be segregated at source to ensure maximum diversion of materials from landfill. Condition 21 (a) of the permission requires an updated OWMP

to be provided which is prepared in accordance with BS 5906: 2005, to ascertain the capacity required for the proposed development. Should permission be granted, I recommend inclusion of this condition.

8.9.22 Planning Authority Conditions: Many of the conditions attached by the planning authority are standard in nature and I am generally satisfied that they are appropriate. As set out in section 8.3.4 of this report, I recommend that the text of Condition 2 be carried through to the Board Order, should permission be granted. This condition requires revised drawings to be provided demonstrating omission of the 3 bed cluster unit located on the fifth storey to the north of Block B and its replacement with either a studio unit or the alteration of the 6 bed cluster to a 7 bed cluster in the interests of visual amenity and the residential amenities of adjoining properties. Condition 20 relates to noise during the construction and demolition phases and should also be included in any grant of permission.

8.9.23 I note that Condition 9 requires the applicant to submit and agree details to reduce the junction corner radii of Woodlawn / Model Farm Road Woodlawn in the interest of pedestrian safety. These lands lie outside the red line boundary of the site, they do not form part of the proposed development and as such I do not consider inclusion of this condition is warranted. Should permission be granted, I recommended omission of this condition.

8.9.24 Should permission be granted I recommend inclusion of a condition requiring lighting details to be agreed with the planning authority prior to commencement of development. Furthermore, I recommend inclusion of a condition requiring adherence to the specified mitigation measure outlined in the Noise Impact Analysis Report, which requires that the plant room walls and access points facing external areas to have minimum noise reduction capability of greater than or equal to 30dB.

8.9.25 Applicant's response to appeals

I note the applicant's response to the appeals received on the 3rd of April 2025 included a Supplementary Daylight / Sunlight and Shadowing Report, a file note from the applicant's consulting engineers and a Ground Investigation Report dated October 2022. The applicant's response was not circulated to parties for comment and my view is that the applicant's response submission is a rebuttal of the grounds of appeal and I do not consider that circulation of same is warranted under section 131 of the 2000 Act.

Notwithstanding, I note Board may take a different view and decide to circulate the applicant's response to the parties for comment.

8.10 Water Framework Directive (WFD)

8.10.1 The appeal from Woodlawn Residents Association contends the proposed development fails to comply with the WFD with reference made to the discharge of wastewater to Carrigrennan WWTP and potential impacts on Lough Mahon and Cork Harbour.

8.10.2 The submitted AA Screening addresses the matter of water quality in section 6 and it identifies the waterbodies relevant to the proposed project as follows:

- Curragheen (Cork City)_010
- Glasheen (Cork City)_010
- Lee Cork Estuary_Upper
- Lee Cork Estuary Lower
- Lough Mahon

The applicant's Screening concludes that no significant effects on water quality within Cork Harbour are predicted to occur due to wastewater discharges during operation.

I have prepared a WFD Screening, and it is set out in Appendix 4 of this report.

8.10.3 The subject site is located on a brownfield site in an urban area, 3.4 km to the south-west of Cork city centre, and approximately 280 m west of Dennehy's Cross, on the south side of Model Farm Road. The proposed development comprises demolition of an existing building (c 997 sqm) and the construction of two buildings to accommodate 408 student bedspaces.

I have assessed the PBSA development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and groundwater water bodies either qualitatively or quantitatively. The reason for this is as follows:

- The nature of the works comprising a medium scale of development.
- The lack of direct hydrological connections from the site to any surface and transitional water bodies.
- The proposal to incorporate several SuDS features as part of the proposed development.
- Standard pollution controls that would be implemented.
- Taking into account the WFD screening and determination contained in the submitted AA Screening Report.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

9.0 Appropriate Assessment (AA)

9.1 I have considered the proposed residential development in light of the requirements of S177U of the Planning and Development Act 2000 as amended. A Screening report has been prepared by Dixon Brosnan Environmental Consultants, dated November 2024, on behalf of the applicant and the objective information presented in that report informs this screening determination.

9.2 Overall Conclusion - Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 as amended is not required.

This conclusion is based on:

- Objective information presented in the Screening Report.
- Location-distance from nearest European site and lack of any direct connections.

- Absence of any meaningful pathways to any European Site.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and effectiveness of these.
- Taking into account the conclusion of the Appropriate Assessment Screening undertaken by the planning authority.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

Full details of my assessment are provided in Appendix 1 attached to this report.

10.0 Environmental Impact Assessment (EIA)

10.1 This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

10.2 Submitted Environmental Impact Assessment Screening Report: The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted Environmental Impact Assessment Screening Report, including Schedule 7 and 7A details within the report dated November 2024, and I have had regard to same. The submitted report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5 of the Planning and Development Regulations 2001, due to the site size at 0.8 hectares, the number of units (130 apartments comprising 57 units accommodating 3 to 7 bedrooms and 73 no. studios resulting in a total of 408 bedspaces), and that the demolition of the building on the site, formerly used as a convent, is not likely to have a significant effect on the environment. The EIA Screening Report considers that the proposal is unlikely to give rise to significant environment effects, and as such a formal EIAR is not required.

10.3 The following classes of development as set out in the Planning and Development Regulations 2001 as amended are relevant to the proposal:

- Class 10(b)(i) construction of more than 500 dwelling units,

- Class 10(b)(iv) urban development, which would involve an area greater than 2 ha in the case of a business district*, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere.

*a 'business district' means a district within a city or town in which the predominant land use is retail or commercial use.

- Class 14 of Schedule 5 relates to demolition works undertaken to facilitate any project listed in Part 2 of Schedule 5 where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

10.4 The proposed development is sub-threshold in terms of mandatory EIA requirements arising from Class 10(b)(i) and / or (iv) and Class 14 of the Planning and Development Regulations 2001 as amended. The criteria as set out in Schedule 7 are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment and should be the subject of EIA. The criteria include the characteristics of the proposal, the location of the site, and any other factors leading to an environmental impact.

10.5 I have completed an EIA screening assessment and determination as set out in Appendix 2 and 3 of this report. I have concluded that the proposed development would not be likely to have significant effects (in terms of extent, magnitude, complexity, probability, duration, frequency, or reversibility) on the components of the environment and that the preparation and submission of an Environmental Impact Assessment Report is not therefore required.

10.6 The proposed development does not meet the threshold for a mandatory EIA as per Schedule 5 of the Regulations. In undertaking the EIA screening assessment and determination, I have had regard to the submitted EIA screening report and the various reports submitted with the application which address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and it is demonstrated that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential

impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application.

- 10.7 In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

11.0 Recommendation

Having regard to the above assessment, I recommend that permission be granted for the Large-Scale Residential Development (LRD) at the former Saint Joseph's Convent, Model Farm Road, Cork, based on the conditions and reasons as follows.

12.0 Reasons and Considerations

Having regard to the provisions of the Cork City Development Plan 2022 - 2028, the location of the site within the Model Farm Road area of Cork city with direct access to existing high-frequency public transport services and planned future services, the land-use zoning objective 'ZO 01 Sustainable Residential Neighbourhoods,' and to the nature, form, scale, and design of the proposed development, it is considered, that subject to compliance with the conditions set out below, the proposed development would not materially contravene the Cork City Development Plan 2022-2028, would not seriously injure the residential and visual amenities of the area, would not have a negative impact on the character of the area, would not constitute overdevelopment of the subject site, would not result in an excessive concentration of student accommodation in the area, would not overwhelm existing drainage infrastructure, would not give rise to flooding, would not lead to subsidence in the area, would not fail to comply with the Water Framework Directive and the Habitats Directive, would not negatively impact wildlife, would not result in devaluation of property, would comply with Objectives 3.8 and 11.6 of the Cork City Development Plan 2022-2028 as they relate to the provision of Purpose Built Student Accommodation, would be acceptable in terms of vehicular, pedestrian and cyclist safety, would be acceptable in terms of car and bicycle parking provision, and would offer a good standard of accommodation and

amenity to future residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area be in accordance with the proper planning and sustainable development of the area.

13.0 Recommended Draft Order

Application for permission under the Planning and Development Act 2000, as amended, in accordance with plans and particulars lodged with Cork City Council on the 3rd of December 2024 and appealed to An Bord Pleanála on the 27th of February 2025.

Proposed Development:

- Demolition of the former Saint Joseph's Convent to provide for the construction of a 408 bed Purpose-built Student Accommodation development, café and all ancillary site development works.
- The proposed development will be provided in two apartment buildings, 2 to 5 storeys in height, to include 57 number apartments ranging in size from 3 to 7 bedrooms (335 bedspaces) and 73 number studio apartments, all served by open space, internal student amenities, bin stores, ESB substation with a tank room and plant room at basement level.
- The proposed development will be accessed from Model Farm Road by a new vehicular / pedestrian access.
- Provision of 222 bicycle spaces and four car parking spaces.

Decision:

Grant permission for the above proposed development based on the reasons and considerations set out below.

Matters Considered:

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

In coming to its decision, the Board had regard to the following:

- (i) The provisions and policies of the Cork City Development Plan 2022 - 2028,
- (ii) The zoning objective 'ZO1 - Sustainable Residential Neighbourhoods', with a stated objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses,'
- (iii) To the National Planning Framework (NPF) First Revision – April 2025 issued by the Government of Ireland,
- (iv) The Guidelines for Planning Authorities on Sustainable Residential Development and Compact Settlements, issued by the Department of Housing, Local Government and Heritage in January 2024,
- (v) The Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018),
- (vi) The Climate Action Plan issued by the Government of Ireland in 2025,
- (vii) The National Student Accommodation Strategy issued by the Department of Education in July 2017,
- (viii) The availability in the area of a wide range of social, community and transport infrastructure necessary to serve this development,
- (ix) The pattern of existing and permitted development in the area,
- (x) Submissions and Observations received, and
- (xi) The Inspectors Report

it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the Cork City Development Plan 2022-2028, would not seriously injure the residential and visual amenities of the area, would not have a negative impact on the character of the area, would not constitute overdevelopment of the subject site, would not result in an excessive concentration of student accommodation in the area, would not overwhelm existing drainage infrastructure, would not give rise to flooding, would not lead to subsidence in the area, would not fail to comply with the Water Framework Directive and the Habitats Directive, would not negatively impact wildlife, would not result in devaluation of property, would comply with Objectives 3.8 and 11.6 of the Cork City Development Plan 2022-2028 as they relate to the provision of Purpose Built Student Accommodation,

would be acceptable in terms of vehicular, pedestrian and cyclist safety, would be acceptable in terms of car and bicycle parking provision, and would offer a good standard of accommodation and amenity to future residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA):

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the development, on serviced lands, the nature of the receiving environment which comprises a site in an established urban area, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's report.

In completing the screening exercise, the Board agreed with and adopted the report of the Inspector and that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any designated European Site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment (EIA):

The Board completed an Environmental Impact Assessment Screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant, which contains information set out in Schedule 7A to the Planning and Development Regulations, 2001 (as amended), identifies and describes adequately the effects of the proposed development on the environment.

Having regard to: -

(a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i), Class 10(b)(iv) and Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,

(b) The existing use on the site and pattern of development in surrounding area,

- (c) The availability of mains water and wastewater services to serve the proposed development,
- (d) The location of the development outside of any sensitive lands,
- (e) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- f) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable scale and density of development at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of student accommodation in an area with a clear demand for such accommodation.

The Board considered that the proposed development, is compliant with the current Cork City Development Plan 2022 - 2028, and the proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

14.0 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 be amended as follows:

- (a) The 3 bed cluster unit located on the fifth floor to the north of Block B (the element projecting along the main building line) shall be omitted and replaced with a studio unit or alternatively the 6 bed cluster shall be altered to a 7 bed cluster. Revised drawings and details showing compliance with these requirements shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of visual and residential amenity.

3. The mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Screening Report, the Waste Classification Report, the Construction and Demolition Waste Management Plan and the Noise Impact Analysis Report shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

4. The proposed development shall be used for student accommodation or accommodation related to a Higher Education Institute or tourist / visitor accommodation only during academic holiday periods and shall not be used for the

purposes of permanent residential accommodation, as a hotel, hostel, apart-hotel or similar use, without a prior grant of permission.

Reason: To clarify the scope of the permission, in the interests of the proper planning and sustainable development of the area, and in accordance with the details submitted with the planning application.

5. The student accommodation complex shall be operated and managed by an on-site management team on a 24-hour, full-time basis. A finalised student management plan shall be submitted to and agreed in writing with the Planning Authority prior to the first occupation of the development. Any changes in the operation and management of the complex shall be the subject of a new planning application.

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

6. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

7. (a) Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.
- (b) Prior to commencement of development the developer shall submit to the planning authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit.
- (c) Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

(d) A maintenance policy to include regular operational inspection and maintenance of the Sustainable Urban Drainage System infrastructure and the fuel interceptors shall be submitted to and agreed in writing with the planning authority prior to the occupation of proposed development and shall be implemented in accordance with that agreement.

Reason: In the interest of public health and surface water management.

8. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Eireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water / wastewater facilities.

9. Proposals for a development name and numbering scheme and any associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs, and unit numbers, shall be provided in accordance with the agreed scheme. The proposed name(s), in Irish and English, shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.

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

10. Cycle parking facilities serving the proposed development and the public amenity route through the site, shall comply with the provisions of the Cycle Design Manual issued by National Transport Authority in 2023. Electric charging facilities shall be provided for cycle parking within the scheme. Plans and particulars showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable travel and the amenities of future occupiers.

11. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the amenities of property in the vicinity and the visual amenities of the area.

12. Roof areas shall not be accessible other than for maintenance purposes only.

Reason: In the interest of residential amenity.

13. (a) The commercial unit in Block A shall be used solely as a café and shall not be used as a hot food / fast food takeaway outlet on foot of this permission.

(b) Full details of (i) hours of operation of the café, (ii) signage details, and (iii) associated air extraction and air conditioning plant shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

14. An updated Operational Waste Management Plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including capacity requirements and the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within the development and within each apartment and studio unit, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and 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 and the amenities of properties in the vicinity.

15. The existing bus stop shall be retained and reinstated outside the proposed development. Prior to commencement of development the design details of the bus stop shall be submitted to and agreed in writing with the local authority.

Reason: In the interest of sustainable mobility and development.

16. (a) The developer shall comply with all recommendations set out in the Ground Investigation Report dated October 2022, prepared by GII and received by An Bord Pleanála on the 3rd of April 2025

(b) A pre-commencement photographic survey of boundary conditions and the condition of adjoining property, where consented to by the owners / occupiers, shall be undertaken. Upon completion of construction a similar survey shall be carried out.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure an adequate record of adjoining conditions is provided.

17. (a) The developer shall comply with all requirements of the Planning Authority in relation to cycling and pedestrian infrastructure, roads, access and set-down parking arrangements.

(b) The internal access network serving the proposed development, including turning bays, junctions, set-down parking space, footpaths and kerbs, shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets.

Reason: In the interest of amenity and of traffic and pedestrian safety.

18. The proposed development shall be implemented as follows:

- (a) As part of the monitoring of the Mobility Management Plan, the planning authority shall be notified of who is the appointed Travel Plan Coordinator prior to commencement of development.
- (b) A review of the Mobility Management Plan including the carrying out of student travel surveys shall be undertaken in Year 1 and Year 2 after first occupation. The reviews shall be submitted to the planning authority within one month of completion and further reviews shall be carried out every two years unless otherwise agreed with the planning authority.
- (c) Student units / apartments / studios shall not be amalgamated or combined.

Reason: In the interests of sustainable transportation and amenity.

19. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual amenity.

20. The landscaping scheme shown on the Landscape Masterplan (Drawing Number L200) and Landscape Strategy, shall be carried out within the first planting season following substantial completion of the external construction works.

Details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes, shall be submitted to and agreed in writing with the planning authority, prior to commencement of development, and subsequently implemented in accordance with the agreed scheme.

All planting shall be adequately protected from damage until established. Any plants that die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed

in writing with the planning authority. This work shall be completed before any of the units are made available for occupation and the areas shall be maintained as public open space by the developer until taken in charge by the local authority or a management company.

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

21. A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to the first occupation of the development. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

22. 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 details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority,
- n) Noise during site clearance and construction shall not exceed 65 Db (A), Leq 30 minutes and the peak noise shall not exceed 75 Db (A), when measured at any point off site.

Reason: In the interest of amenities, public health and safety and environmental protection.

23. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. The RWMP shall outline how excess soil and contaminated land, if encountered, shall be dealt with.

Reason: In the interest of reducing waste and encouraging recycling.

24. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0700 to 1400 hours 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.

25. Public lighting shall be provided in accordance with a final scheme, which shall include lighting for the public amenity walking / cycle route, open spaces and set down / servicing areas, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The design of the lighting scheme shall take into account the existing and permitted public lighting in the surrounding area, and shall be bat friendly. Such lighting shall be provided prior to the making available for occupation of any unit within the proposed development.

Reason: In the interests of amenity, the environment and public safety.

26. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the local authority to apply such security or part thereof to such reinstatement. 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 of the development.

27. 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

John Duffy
Inspectorate
15th May 2025

Appendix 1: Screening for Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics Case file: ABP- 321978-25	
Brief description of project	<p>Demolition of existing former convent, construction of a 408 bedspace PBSA development comprising 73 studios (each with 1 bed space) and 57 Clusters (comprising 335 bed spaces). The proposed development will be accommodated within 2 apartment buildings of 2 to 5 storeys in height. The proposal includes a cafe and all ancillary site development works. The proposal includes for new hard and soft landscaped open spaces, new entrance, car and cycle parking, refuse areas, surface water drainage (inclusive of SuDs features), and connections to public water supply and drainage services.</p>
Brief description of development site characteristics and potential impact mechanisms	<p>The site measures 0.8 ha and comprises two distinct parts. The northern portion accommodates the former St. Joseph's Convent, a single and two storey building with associated grounds, set back from the R608, which was previously in use as a nursing home. The southern portion of the site, which is accessed through a right of way from the adjoining Lee Garage / service station site to the west, is at a higher level than the northern portion, and has a hardstanding surface.</p> <p>Site walkover surveys undertaken for the AA Screening Report indicate the site does not contain any protected habitats and that overall, the habitats are of low ecological value. Habitats within the site are dominated by buildings and artificial surfaces (BL3), amenity grassland (GA2), flower beds and borders (BC4) and non-native hedgerows / tree lines (WL1/WL2).</p> <p>The proposed development is not within or adjoining any European Site, any designated or proposed NHA, or any other area of ecological interest or protection. There are no watercourses in or adjacent to the site. The nearest watercourse is Glasheen River flowing c.385m to the east. The site is located within the sub catchment of the river. Glasheen River is a tributary of the River Lee, which flows to Cork Harbour SPA (these overlap 8.2 km downstream). Therefore, there is a potential hydrological connection</p>

<p>between the site and Cork Harbour SPA (c.5.05km to the east of the site).</p> <p>There are no protected habitats or species identified on the site which are QIs associated with any European Site. Therefore, I consider the likelihood of any significant effect of the proposed development on any European Site due to loss of habitat and / or disturbance to species can be reasonably excluded.</p> <p>Further, there is no viable pathway connecting the subject site to the Great Island Channel SAC (001058), located approximately 11.8 km to the east. Therefore, I conclude that the likelihood of any significant effect of the project on the Great Island Channel SAC may be reasonably excluded.</p> <p>The applicant is proposing to connect to existing municipal services in terms of water supply and wastewater / drainage. Therefore, there is an indirect pathway to the European Site of Cork Harbour SPA via the Carrigrennan (Cork City) Waste Water Treatment Plant. I therefore acknowledge that there is a potential connection to Cork Harbour SPA via the wider drainage network and the Carrigrennan (Cork City) Waste Water Treatment Plant. However, the existence of this potential pathway does not necessarily mean that potential significant effects will arise.</p>				
Screening report				
Yes, AA Screening Report prepared by Dixon Brosnan Environmental Consultants which has screened out the need for AA. Cork City Council also screened out the need for AA.				
Natura Impact Statement				
No.				
Relevant submissions				
Appeal by Woodlawn Residents Association raises concerns in terms of compliance of the proposed development with the Habitats Directive and the Water Framework Directive.				
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N

Cork Harbour SPA (004030)	Waterbirds (23 x species) Wetlands ConservationObjectives.rdl NPWS, 2014 (Accessed on 11.5.25)	c 5.1 km	No direct connection Possible indirect connection	Y
Great Island Channel SAC (001058)	Mudflats and Sandflats Atlantic Salt Meadows ConservationObjectives.rdl NPWS, 2014 (Accessed on 11.5.25)	c 11.8 km	No viable pathway connecting the site to the Great Island Channel SAC (001058).	N

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Further commentary / discussion

Potential pathways to Cork Harbour SPA comprise (a) Occurrence of surface water pollution during the construction phase and (b) Occurrence of surface water and wastewater pollution during operational phase.

No potential pathway identified between the subject site and the Great Island Channel SAC, located c 11.7 km east (or 12.9 km downstream).

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site names Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the sites	
	Impacts on Cork Harbour SPA	Effects
Cork Harbour SPA (004030) Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028]	Direct: None Indirect: Potential indirect hydrological connections between the project and Cork Harbour SPA. Firstly, through potential surface water discharges to the public system and secondly through wastewater discharges via the public drainage system (effluent will be treated at	During construction phase, construction works will be managed by and implemented under a RWMP and CMP which includes pollution prevention and surface water control measures.

<p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Lapwing (<i>Vanellus vanellus</i>) [A142]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wetland and Waterbirds [A999]</p>	<p>Carrigrennan WWTP) to Cork Harbour.</p> <p>Localised, temporary, low magnitude impacts from noise, dust and construction related emissions to surface water during construction.</p>	<p>At operational stage, several SuDS features are proposed to manage stormwater and surface water run-off from the site in the first instance. This will discharge as necessary at a restricted rate to the combined public sewer.</p> <p>There is sufficient capacity available in the public system to accommodate the surface water and wastewater drainage from the proposed development, which will be treated at Carrigrennan WWTP before discharging into Cork Harbour. UE Capacity Register confirms available capacity.</p> <p>The contained nature of the appeal site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features connected to the Cork Harbour SPA make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SPA for the SCIs listed.</p> <p>Conservation objectives would not be undermined.</p> <p>Having regard to the distance separating the site to Cork Harbour SPA there is no pathway for loss or disturbance of important habitats or important species associated with the feature of interests of the European Sites identified above.</p>
--	---	--

	Likelihood of significant effects from proposed development (alone): No
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No
Step 4 Conclude if the proposed development could result in likely significant effects on a European site	
<p>I conclude that the proposed development (alone) would not result in likely significant effects on any European Sites. The proposed development would have no likely significant effect in combination with other plans and projects on any European sites. No mitigation measures are required to come to these conclusions.</p>	

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Objective information presented in the Screening Report.
- Location-distance from nearest European site and lack of any direct connections.
- Absence of any meaningful pathways to any European Site.
- Standard pollution controls that would be implemented regardless of proximity to a European Site and effectiveness of these.
- Taking into account the conclusion of the Appropriate Assessment Screening undertaken by the planning authority.

Appendix 2 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321978-25		
Proposed Development Summary	Demolition of former convent to provide for the construction of a 408 bedroom purpose-built student accommodation, to be provided in two apartment buildings (2-5 storeys in height), served by open space, internal student amenities, bin stores, bike stores, ESB substation with a tank room and plant room at basement level.		
Development Address	Site of the former Saint Joseph's Convent, Model Farm Road, Cork.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	√
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	√	Class 10(b)(i): Threshold of 500 dwellings. Class 10(b)(iv): Urban Development - Threshold of 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Class 14: Works of demolition.	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	√		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			

Yes	√	<p>Class 10(b)(i) Construction of more than 500 dwelling units: 130 no. apartments comprising 57 no. apartments (accommodating 3 to 7 bedrooms, resulting in 335 bedspaces) and 73 no. studio apartments proposed – below threshold.</p> <p>Class 10(b)(iv) Urban Development: Site size is c 0.8 hectares, below the 2 hectare threshold for a business district, and below the 10 hectare threshold for a built up area.</p> <p>Class 14 Works of Demolition. A building formerly used as a convent is to be demolished. Not likely to have a significant effect on the environment due to relatively minor scale of demolition.</p>	
------------	---	--	--

5. Has Schedule 7A information been submitted?		
No		Screening determination remains as above (Q1 to Q4)
Yes	√	Screening Determination required

Inspector: John Duffy

Date: 10th April 2025

Appendix 3: Form 3 - EIA Screening Determination Form

A. CASE DETAILS		
An Bord Pleanála Case Reference	ABP-321978-25	
Development Summary	Demolition of former convent to provide for the construction of a 408 bedroom purpose-built student accommodation, to be provided in two apartment buildings (2-5 storeys in height), served by open space, internal student amenities, bin stores, bike stores, ESB substation with a tank room and plant room at basement level.	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	The planning authority noted that having regard to the nature and scale of the proposed development it was concluded that an EIA is not required in this case.
2. Has Schedule 7A information been submitted?	Yes	An EIA Screening Report was submitted as part of the application documentation. Appendix A of the Screening Report provides for a screening against Schedule 7A criteria.
3. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report was submitted as part of the application documentation. The Screening Report concludes that the proposed development, either alone or in-combination with other plans and / or projects, does not have the potential to significantly affect any European Site, in light of their conservation objectives. Therefore, a Stage 2 Appropriate Assessment is deemed not to be required.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	EIA Screening Report AA Screening Report Noise Impact Analysis Report Energy and Climate Impact Analysis Report Engineering Report SEA was undertaken in respect of the Cork City Development Plan 2022-2028 by the planning authority.	
B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The development proposes demolition of an existing building and the provision of a residential scheme of purpose-built student accommodation (PBSA) in the form of two apartment blocks, which are 2-5 storeys in height and served by open space and internal student amenities.	No

		<p>Given the predominantly residential character of the area, and the proposed residential use on the subject lands, the project is not significantly different in character to the existing surrounding environment.</p> <p>The predominant housing typology in the area comprises one and two storey dwellings, many located on generous plots. The proposal is larger in scale compared to the pattern of residential development in the immediate area, with moderate increases in building height and density noted. It is not considered that the proposed development of two apartment blocks would be significantly different in character or scale to the existing surrounding environment.</p>	
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	No	<p>The proposed development will result in the construction of a residential scheme (of PBSA) on lands which are zoned for residential development under the ZO1 Sustainable Residential Neighbourhoods zoning objective.</p> <p>Demolition of a single building is proposed. Demolition and construction works will be managed through the Construction and Demolition Waste Management Plan (CDWMP). There are no water courses on the site and the lands are not located in an area of flood risk.</p> <p>While construction works will lead to physical changes across the site, these would not be detrimental to the surrounding area.</p> <p>At operational phase, when the PBSA is occupied, no physical changes to the locality are anticipated.</p>	No

1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	<p>The proposed development will utilise materials which are standard for this type of urban development and are not considered to be in short supply. The loss of natural resources or local biodiversity as a result of the redevelopment of the site are not regarded as significant in nature.</p> <p>At operational stage, the development would not use natural resources in short supply. The proposed development will connect into public water services which have adequate capacity to meet demands.</p>	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils, and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and the implementation of the CDWMP will appropriately mitigate potential impacts. No operational impacts in this regard are anticipated.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils, and other such substances, and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Any impacts would be local and temporary in nature and the implementation of the CDWMP will appropriately mitigate potential impacts. No significant operational impacts are expected. Operational waste shall be managed by way of the submitted Operational Waste Management Plan (OWMP).	No
1.6 Will the project lead to risks of contamination of land or water from releases of	No	No significant risk identified subject to the implementation of appropriate mitigation	No

pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?		<p>measures. The operation of the CDWMP will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water will be attenuated within the site and wastewater and surface water (as necessary) will be discharged to the combined public drainage system, which meets Uisce Eireann and planning authority requirements. No significant emissions during operation are anticipated.</p> <p>There are no watercourses on or adjacent to the site. The site is at a significant remove from coastal waters (c 5 km).</p>	
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of the CDWMP. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts. Light impacts at operational stage will be addressed by the public lighting plan which is designed to industry standards and planning authority requirements. Noise at operational stage is largely associated with increased activity and residential use. The Noise Impact Analysis Report includes measures to address impacts.</p>	No
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	No	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of the submitted CDWMP would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.</p>	No

1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, which are characterised by residential development. Employment will be generated during the construction phase.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	The project is no part of a wider large-scale change in the area. The site constitutes an infill site within the built-up urban area.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	No	No European sites located on or adjacent to the site. No designated or proposed Natural Heritage Area in the vicinity of the site. An Appropriate Assessment Screening was provided in support of the application. The Screening Report concludes that the proposed development, either alone or in-combination with other plans and / or projects, does not have the potential to significantly affect any European Site, in light of their conservation objectives	No

<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No</p>	<p>The Appropriate Assessment Screening Report refers to site surveys undertaken which found that no protected habitats, rare or protected plants are present on the site. Habitats within the site are dominated by buildings and artificial surfaces, amenity grassland, flower beds and borders and non-native hedgerows and treelines. To the rear of the building is hardcore used for parking. Overall the on-site habitats are considered to be of low ecological value. It is concluded that the proposed development would not be likely to result in significant effects on the environment in terms of biodiversity loss.</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No</p>	<p>No archaeological features recorded on or adjacent to the subject site.</p> <p>No protected structures on the site or adjacent to it.</p> <p>The site is not located within an Architectural Conservation Area (ACA).</p> <p>The site is located c 120 m west of Protected Structure PS958 – Church of the Descent of the Holy Spirit at Dennehy's Cross.</p> <p>The Church is designated as Local Landmark Building No. 9.</p> <p>The proposed development would not likely result in significant negative effects on the environment in terms of cultural heritage and landscape importance.</p>	<p>No</p>

2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	No such resources on site or in the area.	No
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	There are no watercourses on or adjacent to the site. The site is at a significant remove from coastal waters (c 5 km). The nearest watercourses to the site are the Glasheen River (c 385 m to the east) and the Curragheen River (c 453 m to the north). The lands are not located in an area of flood risk.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No such impacts are foreseen.	No
2.7 Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	<p>The site is accessed from the Model Farm Road and is readily accessible, located c 3.2 km from the City Centre, c 1.6 km from UCC and c 1.7 km from MTU.</p> <p>Only 4 no. car parking spaces are proposed, primarily for staff of the facility. 222 no. cycle parking spaces are proposed and it is anticipated that occupants would use active travel and public transport.</p> <p>The BusConnects Ballincollig to City Sustainable Transport Corridor (STC) E will travel along Model Farm Road and pass the subject site. A bus stop will be located in close proximity to the proposed development. Details of the BusConnects E route</p>	

		<p>indicate new footpaths, cycle lanes, bus stops and a road crossing in the vicinity of the site.</p> <p>Having regard to the foregoing the transport infrastructure / network serving the area is capable of accommodating the proposed development.</p>	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	There are no existing sensitive land uses or community facilities such as hospitals and schools in the immediate area. The site adjoins residential development.	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	No development in the area have been identified which would give rise to significant cumulative environmental effects.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No trans-boundary effects arise as a result of the proposed development.	No
3.3 Are there any other relevant considerations?	No	No	
C. CONCLUSION			
No real likelihood of significant effects on the environment.	✓	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Having regard to: -			

- (a) The nature and scale of the proposed development which is below the thresholds in respect of Class 10(b)(i), 10(b)(iv) and Class 14 of the Planning and Development Regulations 2001 as amended,
- (b) The location of the site on lands zoned ZO1 'Sustainable Residential Neighbourhoods' and the provisions of the Cork City Development Plan 2022-2028,
- (c) The infill nature of the subject site, its location in an urban area and outside of any sensitive land designation, and the pattern of development in the area,
- (d) The availability of mains water supply and wastewater infrastructure and services,
- (e) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government (2003),
- (f) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
- (g) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the Construction and Demolition Waste Management Plan, the Operational Waste Management Plan, the Noise Impact Analysis Report and the Engineering Report,

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

Inspector: John Duffy

Date: 10th April 2025

Approved (DP/ADP): Mary Mac Mahon

Date: 10th April 2025

Appendix 4

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-321978-25	Townland, address	Former St. Joseph's Convent, Model Farm Road, Cork.
Description of project		Large-Scale Residential Development: Demolition of former Saint Joseph's Convent and construction of 408 student accommodation bedspaces in two apartment buildings of two to five storeys in height, a café and all ancillary site development works.	
Brief site description, relevant to WFD Screening,		The site is located in an urban area. The ground levels across the site rise steadily by c.7m from the northern boundary on Model Farm Road (c.17m OD) to the southern boundary abutting properties on Laburnum Lawn (c.24m OD). The site is not located within Flood Zones A and B. There are no watercourses traversing or adjacent to the site. The nearest watercourse is the Glasheen River flowing c 385 m to the east. Glasheen River is a tributary of the River Lee, which flows to Cork Harbour. The Curragheen River flows approximately 453 m to the north of the site.	
Proposed surface water details		Several SuDS features to manage stormwater and surface water run-off. Above average rainfall will discharge at a restricted rate to the combined sewer in Model Farm Road.	
Proposed water supply source & available capacity		Uisce Eireann (UE) indicates the proposed development can be serviced. UE mains water connection. There is capacity in the public systems without need for any infrastructural upgrades.	

Proposed wastewater treatment system & available capacity, other issues			Wastewater from the proposed development will be discharged to the combined sewer, which will discharge into Cork Harbour following treatment at Cork City (Carrigrennan) WWTP. The UÉ Capacity Register for Cork City indicates the Carrigrennan WWTP has spare capacity available. The Plant Capacity PE is 413200. Treated wastewater from the plant is discharged through a 500 m long outfall pipe to Cork Harbour at Lough Mahon. UE’s Annual Environment Report (AER) for 2022 notes that the WWTP is non-compliant with the Emission Limit Values (ELVs) set in the Wastewater Discharge Licence. The AER for 2022 states that the discharge from the wastewater treatment plant does not have an observable impact on the water quality and also does not have an observable impact on the Water Framework Directive status.			
Others?			No			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
Surface water body - River	c 385 m	Glasheen (Cork City)_10	Poor	At risk	Anthropogenic Pressures	Surface water run-off, drainage

Surface water body - River	c 453 m	Curragheen (Cork City)_10	Moderate	At risk	Anthropogenic Pressures	Surface water run-off
Surface water body – Transitional	c 8 km	Lough Mahon E_SW_060_075 0	Moderate	At risk	Urban Waste Water	Wastewater drainage
Estuary/Transitional	c 3.5. km IE_SW_060_ 0900	Lee Cork Estuary_ Lower	Moderate	At risk	Urban run off Urban Waste Water	Wastewater drainage
Estuary/Transitional	c 0.8 km	Lee Cork Estuary_ Upper IE_SW_060_09 50	Moderate	At risk	Urban run off Urban Waste Water	Surface water run-off, Waste water drainage
Groundwater body	Underlying site	IE_SW_G_002	Good	Not at risk	No pressures	Surface water run-off

Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact / what is the possible impact	Screening Stage Mitigation Measure	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance & Construction	Glasheen (Cork City)_10	Indirect impact via Potential hydrological pathway	Surface water pollution / Hydrocarbon spillages	Standard Construction Practice / CMP	No	Screened out
2.	Site clearance & Construction	IE_SW_G_002	Pathway exists	Hydrocarbon spillages	Standard Construction Practice / CMP	No	Screened out

OPERATIONAL PHASE

1.	Surface Water Run-off	Glasheen (Cork City)_10	Indirect impact via Potential hydrological pathway	Hydrocarbon spillages	Several SuDS features incorporated into development	No	Screened out
----	-----------------------	-------------------------	--	-----------------------	---	----	--------------

NA

2.	Wastewater	Glasheen (Cork City)_10	Indirect impact via potential hydrological pathway	Pollution	Sufficient capacity in public system to cater for wastewater. Treatment mechanism of WWTP.	No	Screened out
3.	Wastewater	Lough Mahon	Indirect impact via potential hydrological pathway	Pollution	Sufficient capacity in public system to cater for wastewater. Treatment mechanism of WWTP.	No	Screened out
4.	Wastewater and Surface water run-off	Lee Cork Estuary_ Lower	Indirect impact via potential hydrological pathway	Pollution	Sufficient capacity in public system to cater for wastewater. Treatment mechanism of WWTP.	No	Screened out

					Several SuDS features incorporated into development		
5.	Wastewater and Surface water run-off	Lee Cork Estuary_Upper	Indirect impact via potential hydrological pathway	Pollution	<p>Sufficient capacity in public system to cater for wastewater. Treatment mechanism of WWTP.</p> <p>Several SuDS features incorporated into development</p>	No	Screened out
6.	Discharges to ground	IE_SW_G_002	Pathway exists	Hydrocarbon spillages	Several SuDS features incorporated into development	No	Screened out
DECOMMISSIONING PHASE							

1.	NA	NA	NA	NA	NA	NA	NA
----	----	----	----	----	----	----	----