



An
Coimisiún
Pleanála

Inspector's Report

PL-500147-CC

Development	PROTECTED STRUCTURE: Demolition of existing structures and construction of student accommodation comprising of 170 bed spaces. The development consists of or comprises the carrying out of works to a Protected Structure (Bishopstown House, Ref. No. PS948).
Location	Bishopstown House, Model Farm Road, Cork.
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	25/43729
Applicant(s)	Denis O'Brien Developments (Cork) Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Michael Donovan
Observer(s)	None
Date of Site Inspection	28 th January 2026
Inspector	Phillippa Joyce

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1.0 Site Location and Description

- 1.1. The appeal site is located at Bishopstown House, Model Farm Road (regional road R608), to the southwest of Cork City centre. The site is rectangular in shape, configured on a north-south alignment, with an area indicated as measuring c.0.53ha. Access to the site is from Model Farm Road (northern boundary) via an existing vehicular entrance in the northwestern corner of the site.
- 1.2. The site accommodates two detached buildings, surface car parking, hardstanding, and landscaped lawns with mature trees. Site boundaries include stonewalls, paladin fencing and hedgerows. Located to the front (north) of the site is Bishopstown House, a two-storey protected structure dating from the early 20th century and located to the rear of the site (southwest corner) is a two-storey modern office structure. The site is presently vacant, being last in use as offices of an engineering consultancy.
- 1.3. To the east and south of the site are established residential areas, Parklea Court and Greenfields respectively. Parklea Court is a cul de sac with mainly rows of two storey terrace houses (No.s 1-13), which front onto the site's eastern boundary. Parklea Court is separated from the site by the roadway, a grassed area with trees, and an embankment with fencing. To the south of the site, is Greenfields which comprises rows of single and two storey terrace houses. Four properties (No.s 17-20) are adjacent to the site's southern boundary (side-on and back onto).
- 1.4. The topography of the site is notable with Bishopstown House positioned at an elevated level from that of Model Farm Road (north), the office building (south), and two-storey residences in Parklea Court (east). The topography of the site decreases in a southerly direction such that ground levels at the southern boundary are largely comparable with those of Greenfields.
- 1.5. At this location, Model Farm Road comprises two lanes of traffic with a segregated cycle lane and pedestrian footpath on the northern side of the road (i.e., on the opposite side of the road to the site). There are bus-stops located c.110m-120m to the east and west of the site's entrance. In addition to adjacent residential areas, surrounding the site are a mix of educational (Cork College of FET adjacent to the west, Munster Technological University (MTU) to the southwest), and employment uses (Cork Business and Technology Park to the north).

2.0 Proposed Development

2.1. The proposed development comprises the following elements:

- Demolition of a minimal number of internal walls, minor internal alterations, and minor elevational changes (door and window openings) in/ to Bishopstown House.
- Conversion of Bishopstown House from medical/ health services use to student accommodation use with an overall total of 170 student bedspaces.
- Construction works in Bishopstown House associated with the change of use include the development of:
 - House Unit 22 (new internal access arrangements, dining/ living room and kitchen at ground floor level, and 7 bedrooms (7 bedspaces) at first floor level), and
 - Communal areas (reception area, student study hub, and ancillary spaces at ground floor level).
- Demolition of the existing office building to the rear of site.
- Construction of a student housing scheme of 21 no. student houses (House Units 1-21) with a total of 163 no. student bedspaces. The houses are accommodated in two buildings, Block A (west of site) and Block B (east), as follows:
 - Block A comprising a 3-storey building with a terrace of 11 no. student houses (House Units 11-21), all 7 bedroom houses (8 bedspaces)¹ (88 bedspaces).
 - Block B comprising a part 2-storey/ part 3-storey building with a terrace of 10 no. student houses (House Units 1-10), one 7 bedroom (9 bedspace) house, two 5 bedroom (5 bedspace) houses and seven 7 bedroom (8 bedspace) houses (75 bedspaces).

¹Note: Following review of the plans and particulars, I have cited correct references to the number of bedrooms and bedspaces in certain House Units (minor differences to those used by the applicant in the description of development).

- Demolition and replacement of the existing front site boundary wall and two piers with a new retaining wall with railing and new footpath.
- Construction of a new entrance gate including a pedestrian gate.
- Demolition and replacement of external steps to the west of Bishopstown House with new external steps, and a raised path and ramp to the rear of Bishopstown House.
- Construction of 85 no. cycle spaces (one enclosed bike store and two covered bike stores) and five car parking spaces, including one disabled space and one EV space.
- Construction of bin store, and all site development, landscaping, boundary treatment, lighting, signage, and drainage works (connection to public water services networks).

2.2. The floorspace of the existing buildings is indicated as c.885sqm, the floorspace to be demolished as c.555sqm, and the newly constructed floorspace as c.4,290sqm.

2.3. During the assessment of the application, Further Information (FI) was requested by the planning authority (see Section 3.0 below for details). In response to the FI request, the applicant revised the proposed development. Key revisions to the proposed development include:

- Omission of one student house (7 bedroom (8 bedspace)) from Block B (east of site).
- Revision of initial House Unit 2 in Block B from a 7 bedroom (9 bedspace) design to a 7 bedroom (8 bedspace) design.
- Revision of initial House Unit 21 (FI ref. House Unit 20) in Block A from a 7 bedroom (8 bedspace) design to a 7 bedroom (7 bedspace) design.
- A reduction in the total number of student bedspaces in the scheme from 170 to 160 bedspaces.
- Amendments to the layout of Block B with increased setbacks from the rear elevation of Bishopstown House and from the southern boundary with adjacent Greenfields properties.
- Amendments to the design and layout of bin and cycle parking stores.

- Amendment to the House Unit references in the plans and particulars; Bishopstown House (House Unit 21), Block A (House Units 10-20), and Block B (House Units 1-9).

2.4. I consider there to be planning merit in the revisions made to the proposed development at FI response stage and recommend to the Commission that regard is had to same in the assessment of this appeal.

3.0 Planning Authority Decision

3.1. Summary of Decision

3.1.1. The application was lodged with the planning authority on 19th March 2025. On 13th May 2025, the planning authority requested further information (FI), which the applicant responded to on 15th August 2025. On 1st October 2025, the planning authority issued a Notification of Decision to Grant Permission for the proposed development subject to 42 conditions.

3.2. Planning Authority Reports

3.2.1. Planner's Reports

Initial Assessment

The planner's report includes an assessment of the proposed development under the following headed items:

- Demolition of the existing 2-storey office building to the rear of Bishopstown House
- Loss of existing office and medical/health uses
- Compliance with Development Plan Policy – Objective 3.8
- Compliance with Development Plan Policy – Objective 11.6
- Density
- Heights
- Design
- Visual Impact

- Landscaping
- Boundaries
- Residential Amenity – adjoining properties
- Signage
- Car Parking
- Cycle Parking
- Footpath
- Access/ Sightlines
- Traffic Generation
- Bus Connects
- Water Services
- Ecology/ Biodiversity

Several of the headed items are assessed as being acceptable and/ or recommended to be addressed by condition in the event of a grant of permission. However, a number of items are identified as requiring design amendments, justification, and/ or further technical details. The initial assessment concludes with a recommendation that FI be requested from the applicant.

Further Information Assessment

A FI request issued to the applicant on eleven items including:

- Objective 11.6, Cork City Development Plan 2022
- Bishopstown House/ Protected Structure
- Blocks A and B – Design
- Landscape/ Other On-Site Facilities
- Residential Amenity
- Daylight/ Sunlight
- Traffic Regulation & Safety

- BusConnects
- Uisce Eireann
- Signage
- Other

On assessment of the FI response, the planning authority found the response to be satisfactory, and that the proposed development would be acceptable under the previously outstanding headed items. The planning authority undertook screenings and/ or preliminary examinations for AA and EIA, screening out the need for either assessment.

Recommendation

The planning authority concluded the proposal complied with the policy context set by the development plan and was of a nature and scale that would not seriously injure the residential or visual amenities of the surrounding area and would be in accordance with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

Architects: Initial report recommends FI. Subsequent report, no objection subject to condition.

Conservation: Initial report recommends FI. Subsequent report, no objection subject to condition.

Traffic Regulation & Safety: Initial report recommends FI. Subsequent report, no objection subject to condition.

Infrastructure: Initial report recommends FI. Subsequent report, no objection subject to condition.

Drainage: No objection subject to condition.

Environment: No objection subject to condition.

Parks/ Trees: No objection subject to condition.

Biodiversity: No objection subject to condition.

3.2.3. Conditions

The 42 conditions attached to the grant of permission include both standard and bespoke conditions. Those which are standard in nature are as follows:

- Surface water drainage (Conditions 10-19 inclusive)
- Management of the construction phase (i.e., waste, noise, working hours, CEMP, RWMP, construction traffic management plan, PA/ DMURS standards for pedestrian, cycling, internal roadway infrastructure, undergrounding of services, landscaping scheme, planting programme, and site clearance works outside of bird nesting season) (Conditions 20, 21, 23, 24, 26, 31, 32, 34, 35, 36, and 38).
- Management of the operational phase (waste and noise) (Conditions 22 and 25).
- Public lighting (Condition 30).
- Naming and numbering (Condition 33).
- Payment of a section 48 development contribution (Condition 42).

While bespoke conditions include the following:

- Use and operation of the student accommodation (Conditions 2, 3).
- Materials and finishes of the new build and protected structure Bishopstown House (Conditions 4, 5, 6, 7, 8).
- Revisions to cycle parking spaces (Condition 9).
- Provision of pedestrian connection along Model Farm Road to Parklea Court (Condition 27).
- Final design of the proposed entrance (geometry, signalised pedestrian crossing, parking prevention measures) (Condition 28).
- Management of the setback area (north of the site, parking prevention measures) pending delivery of BusConnects (Condition 29).
- Cross sections of the SuDS basins in the open spaces (Condition 37).

- Bat survey of site and Bishopstown House by qualified ecologist (Condition 39).
- Use of nocturnal animal friendly-public lighting (Condition 40).
- Payment of a special development contribution of €40,000 (PA works of pedestrian connection between the proposed development and Parklea Court) (Condition 41).

3.3. **Prescribed Bodies**

Uisce Eireann: Requests the applicant engages with UE through the pre-connection enquiry process to assess feasibility of connection to the public water/ wastewater infrastructure. FI response includes correspondence from UE confirming feasibility of water connection without infrastructure upgrade, and of wastewater connection subject to upgrades (alternative options of upsize of existing sewer for c.200m through third party lands, or new sewer for c.180m to connect into existing sewer on Model Farm Road, applicant required to fund the upgrade works).

Inland Fisheries Ireland: Requests that the planning authority or UE signifies there is sufficient capacity on the public sewer to dispose of effluent from the development.

3.4. **Third Party Observations**

- 3.4.1. The planning authority indicates third-party observations were received during the assessment of the application (I identify four valid submissions), and summarises the key issues raised in each in the initial planner's report. Three additional third-party observations were received on the FI response (following readvertisement), which are summarised in the subsequent planner's report.
- 3.4.2. I have reviewed the submissions on the case file (the appellant made a submission on both the initial application and FI response) and confirm several of the issues raised therein continue to form the basis of the appeal case, which are outlined in detail in Section 6.0 below.

4.0 Planning History

Appeal Site

PA Ref. 10/34659

Permission granted to J. O'Donovan on 16th February 2011 for a change of use from office use to use of the building for provision of medical and health services.

PL 28.210315, PA Ref. 04/28704

Permission granted on appeal to John O'Donovan & Associates in May 2005 for an office block (revisions to PA Ref. 00/24523).

PL 28/122758, PA Ref. 00/24523

Permission granted on appeal to John O'Donovan & Associates in July 2001 for an office block.

Student Accommodation (Recent Decisions)

Lands to the East (c.1.2km, crow flies)

ACP 324054-26, PA 24/43455 (LRD Application)

Decision pending on appeal of application by Lyonshall Limited for permission for the construction of a 408 bed purpose-built student accommodation development, a café and all ancillary site development works on lands at the former St. Joseph's Convent, Model Farm Road, Cork City.

(previous decision under *ABP 321978-25* to grant permission on 9th June 2025 quashed by the High Court on 17th November 2025).

Lands to the Northeast (c.2.5km, crow flies)

ACP 323082-25, PA Ref. 25/43847 (LRD Application)

Permission granted on 11th November 2025 to Bellmount Good Shepherd Limited for the construction of 274 student accommodation apartments along with all associated site works on lands at the Former Good Shepherd Convent, Convent Avenue and Buckston Hill, Cork City.

Lands to the Southwest (c.582m, crow flies)

ABP 316101-23, PA Ref. 22/41677 (LRD Application)

Permission granted on 6th June 2023 to Nyle General Partner Limited for the construction of a purpose built student accommodation complex containing 205 bedspaces along with all associated site works on lands at Rossa Avenue, Bishopstown, Cork City.

5.0 Policy Context

5.1. National Context

- 5.1.1. The national policy context applicable to the proposed development is within the National Planning Framework (NPF), section 28 Ministerial Guidelines, and guidelines and circulars on student accommodation.

National Planning Framework, First Revision, Project Ireland 2040 (NPF)

- 5.1.2. Several national policy objectives (NPOs) are applicable to the proposed development, including NPO 6, NPO 7, NPO 8, NPO 9, NPO 10, NPO 11, and NPO 22 which support continued investment in student accommodation, the provision of new homes and targeted population growth in Cork City and suburbs, and seek the delivery of well-designed urban schemes that incorporate sustainable modes of transport (walking and cycling).

Section 28 Ministerial Guidelines

- 5.1.3. The relevant guidelines include the following (my abbreviation in brackets):
- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities, 2024, (Compact Settlements Guidelines). Applicable to the proposed development includes:
 - Section 3.2: guides that when calculating net densities for student housing, four bed spaces shall be the equivalent of one dwelling.
 - Section 3.3: contains Table 3.1 which defines categories of urban areas within Cork City. 'City – Urban Neighbourhoods' include (iv) lands around existing or planned high-capacity public transport nodes or interchanges.

- Defines ‘planned high-capacity public transport nodes’ as including locations within 500 metres walking distance of a planned BusConnects Core Bus Corridor stop.
- Densities in the range of 50dph-250dph shall generally be applied for such locations.
- Architectural Heritage Protection, Guidelines for Planning Authorities, 2011 (Architectural Heritage Guidelines). Applicable to the proposed development includes:
 - Section 13.8.2 highlights 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 guides 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.

Student Accommodation Guidelines

5.1.4. The relevant guidance includes the following (my abbreviation in brackets):

- Design Guide for State Sponsored Student Accommodation, 2025.
 - It is intended, where appropriate, that the standards contained within the Guide can inform the planning and design of off-campus forms of student accommodation that are led by the private sector.
- Guidelines on Residential Development for Third Level Students, 1999 (Student Accommodation Guidelines).
- Matters Arising on the Guidelines on Residential Development for Third Level Students, 2005 (amendment document).

5.2. Local Context

Cork City Development Plan 2022-2028

5.2.1. The applicable development plan for the appeal case is the Cork City Development Plan 2022-2028 (CDP). The CDP contains map-based designations and policy in several chapters which establish the context for the proposed development.

5.2.2. The relevant CDP map-based designations include the site being:

- Zoned as ZO 1 ‘Sustainable Residential Neighbourhoods’ which seeks ‘To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses’ (Zoning Objective Map 16).
- Contains a protected structure, Bishopstown House, Ref. No. PS 948.
- Designated as ‘Outer Suburbs’ in respect of density and building heights (Density and Building Heights Map 16).
- The site is located within Car Parking Zone 3 (Vol 2, Car Parking Zones).
- Adjacent to the route of the Ballincollig to City Centre Bus Connects CBC 6 which runs along Model Farm Road, the site’s northern boundary (Vol 1, Chapter 4, Fig. 4.4).
 - Note: CDP information is to be read in conjunction with the most up to date information on www.busconnects.ie (correct as of the date of this report). The third round of consultation (November 2023) identifies the preferred routes for 11 Sustainable Transport Corridors (STCs).
 - Of relevance to the proposed development is STC E: Ballincollig to City, which runs along the northern side of the site (Maps 23-24: Preferred Route Option, pg.s 56-57).
 - Map 24 indicates the existing site’s northern boundary, proposed new boundary (possible land acquisition), existing trees to be retained and removed, footpath, and cycle track.
 - The closest bus-stops to the proposed development are the existing bus-stop (indicated as being retained) c.110m to the east on Model Farm Road

and a new bus-stop c.205m to the west. I estimate these to be c.1.5 and 3-minute walking times.

- The site is located to the northeast of the indicative Light Rail Transit (LRT) route (Vol 1, Chapter 4, Fig. 4.7).
 - Note: CDP information is to be read in conjunction with the most up to date information on www.luascork.ie (correct as of the date of this report). The 'Emerging Preferred Route Map' was subject to a period of public consultation (until June 2025). Books 1-4 (April 2025) indicate the route map, including the locations of 24 Luas stops.
 - The appeal site (Book 1: Ballincollig Area, Map 19) is most proximate to the Luas stop at MTU. I calculate a separation distance of c.730m (c.10-minute walking time) from the proposed development to the Luas stop.
- The site is not subject to any other heritage designations, landscape protections, strategic linear views, or other environmental designations.

5.2.3. The relevant CDP policy and objectives include:

- Chapter 3: Delivering Homes and Communities
 - Table 3.6: Indicative Purpose Built Student Bedspace Targets – figures in the CDP's Housing Strategy/ Housing Needs Demand Assessment (HNDA) are relied upon to project a total of 3,500 student bedspaces being required over the CDP period until 2028. Of this total, 600 bedspaces are indicated as being provided by the private sector.
 - **Objective 3.8 Purpose-Built Student Accommodation:**

Cork City Council 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;*

b. At the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood;

c. The scheme is of a high quality and meets the needs of students.

- Chapter 4: Transport and Mobility
 - Table 4.6: Car Parking Zones, Bishopstown in Zone 3.
 - Policy in Section 4.106 Parking for New Development seeks to direct high trip generating uses to areas that are currently, or will be, served by high frequency transport services, and to set out car-free or low car standards in development areas within an 800m walking catchment area of quality public transport.

- Chapter 8: Heritage, Arts and Culture

- **Objective 8.19 Record of Protected Structures:**

To maintain a Record of Protected Structures (RPS) which shall include structures or parts of structures which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, and which it is an objective to protect.

a. Any changes or alterations to the character of a Protected Structure which would in the opinion of Cork City Council, have a material effect on the character of the structure, will require planning permission;

b. Cork City Council will have regard to the relevant statutory guidance issued by the central government department responsible for the built heritage, including the Architectural Heritage Protection Guidelines for Planning Authorities;

c. Proposals for demolition of a Protected Structure shall not be permitted except in exceptional circumstances and where it can be shown that a greater public interest will be served which outweighs the loss to the architectural heritage;

d. Any alteration or demolition of a Protected Structure shall require the preparation of a full drawn and photographic record to Best Conservation Practice;

e. A broad range of uses will be considered for the regeneration / reuse of protected structures that are derelict / underutilised;

f. Where the planning authority accepts the principle of demolition a detailed written and photographic inventory of the building will be made and sent to the Cork City & County Archives and the Irish Architectural Archive for record purposes;

g. Where a planning application is being granted for development within the curtilage of a Protected Structure, the conservation of the protected structure will be prioritised as the first phase of the development to prevent endangerment, abandonment and dereliction.

- Chapter 11: Placemaking and Managing Development
 - Policy in Section 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 with target heights of 2-4 storeys.
 - Policy in Section 11.72 Residential Density – Table 11.2 indicates a density range of 40-60 for Outer Suburbs. Density targets and prevailing character are to be the key measures in determining site-specific density.
 - Policy in Section 11.234, Table 11.13 and Table 11.14, Car and Bicycle Parking – site in Zone 3 (covers urban towns and city suburbs, area served by BusConnects), standards applicable for student housing include 1 car parking space per 10 bedspaces and 0.5 cycle spaces per bedspace.
 - Policy in Section 11.237 identifies as ‘urban towns’ the locations in Parking Zone 3 and states that Bus Connects Cork is proposed to serve these areas of Cork City, and that parking standards serving this zone will be reduced to reflect the level of public transport services over time.
 - **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;*

- b. The proposed development provides adequate external communal space for the needs of the development, with a purpose-built student bed space being considered equivalent to a mainstream studio for the purposes of this calculation;*
- c. The quantum of bed spaces does not undermine the ability of Cork City Council to achieve its HNDA targets;*
- 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;*
- 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;*
- f. Accommodation is provided to the quantitative standards set out in National Guidelines for student accommodation;*
- 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;*
- h. The proposed development includes ancillary facilities adequate to meet the needs of the development, including refuse facilities, car parking and cycle parking;*
- 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);*
- j. At least 10% of bed spaces are designed for disabled students;*
- 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;*

I. 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.

- Chapter 12: Land Use Zoning Objectives
 - Section ZO 1.1 – central objective of ZO 1 is the provision and protection of residential uses and residential amenity.
 - Section 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.

5.3. Natural Heritage Designations

5.3.1. The appeal site is not located in or immediately adjacent to a European Site, a Natural Heritage Area (NHA) or a proposed NHA (pNHA).

5.3.2. The pNHA designations in proximity to the appeal site include:

- Lee Valley pNHA (000094) is c.0.73km to the north.
- Cork Lough pNHA (001081) is c.2.74km to the east.

5.3.3. The European site designations in proximity to the appeal site include (measured at closest proximity):

- Cork Harbour SPA (004030) is c.6.33km to the east.
- Great Island Channel SAC (001058) is c.13.07km to the east.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. This is a third-party appeal against the decision of the planning authority to grant permission for the proposed development. The appellant indicates an address in Greenfields, to the southeast of the appeal site. The appeal grounds include the following issues:

Planning Authority Decision

- Failed to address the serious concerns raised in the appellant's submissions, only some changes made to the application.
- In FI request, removal of four housing units recommended, however applicant only removed one.

Adverse Impact on Residential Amenity

- Building height and proximity to existing residences will severely impact on the privacy of residents in Greenfields and Parklea Court.
- Visually overbearing.
- Tower over existing structures, blocking natural light, skyline view, view of Bishopstown House.
- Negatively effect the value of properties in Greenfields and Parklea Court.

Inappropriate Design

- Large dormer windows are out of place.
- Does not blend in or complement the existing residences.
- Completely and utterly out of character with existing residences.

Impacts associated with Student Accommodation

- Legitimate concerns regarding noise and lifestyle conflicts of introducing a large student population into a quiet residential area.
- Communal areas and outdoor spaces could be gathering points with potential for noise disturbance during unsociable hours.

Lack of Car Parking Provision

- Existing problems of MTU students parking vehicles in Greenfields and Parklea Court.
- Proposed development will exacerbate the current situation as only 5 parking spaces provided for 170 students plus staff.
- Students and tourists will turn the residential area into a long-term car park.

- Situation poses a serious safety hazard for emergency vehicles trying to gain access to the cul de sac.

Unsuitable Surface Water Services

- Concerns regarding the use (last resort) and location of attenuation tanks (adjacent to a boundary, on top of an embankment).
- Failure of the system could result in flooding of properties in Greenfields and Parklea Court.

Adverse Impact on Bishopstown House

- Location of Unit 20 visually encroaches on the protected structure.
- Severe detrimental impact on the protected structure Bishopstown House.

6.2. Applicant Response

6.2.1. A response has been received from the applicant on the appeal. The response includes an overview of the proposed development, a description of the development as permitted by the planning authority, an outline of the planning authority's assessment and decision, and a summary of the applicable planning policy context.

6.2.2. Responses to the appeal grounds as identified by the applicant are made under the following headings:

- Building Height and Overall Design – Impact on Surrounding Residents.
- Noise Pollution.
- Car Parking.
- Drainage.
- Further Information/ Revised Plans.

6.2.3. The key points made in the applicant's response to the appeal are considered in section 7.0 Planning Assessment of this report below.

6.3. Planning Authority Response

6.3.1. No response has been received from the planning authority on the appeal.

6.4. Observations

6.4.1. No observations have been received on the appeal.

7.0 Planning Assessment

7.1. Introduction

7.1.1. Having reviewed the appeal, examined the documentation on the case file, inspected the site, and had regard to the relevant policy context, I consider that the main issues in the appeal to be as follows:

- Principle of Development
- Student Accommodation
- Design and Layout
- Architectural Heritage
- Residential Amenity
- Access, Traffic and Transport
- Water Services
- Other Matters

I propose to address each item in turn below.

7.2. Principle of Development

7.2.1. In the CDP, the appeal site is zoned as ZO 1 'Sustainable Residential Neighbourhoods' the objective of which seeks 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses'. Adjacent lands to the east, south, and west of the site are similarly zoned.

7.2.2. CDP Section **ZO 1.1** stipulates that the primary objective of the ZO 1 zoning is the provision and protection of residential uses and residential amenity, following from which CDP Section **ZO 1.2** states that development therein should generally respect the character and scale of the receiving neighbourhood.

7.2.3. The proposed development comprises purpose built student accommodation (PBSA), which in terms of use class, is a residential use and therefore permissible in principle at the site subject to provisions such as those outlined above.

7.2.4. As is considered in the following assessment, I find that the proposed development provides new residential accommodation of a typology for which there is a housing need, the design and layout ensure that existing and future residential amenities are protected, and the nature and scale are respectful to and appropriate for the receiving area.

7.3. **Student Accommodation**

7.3.1. Appeal grounds include concerns relating to adverse impacts arising from introducing a large student population into an established residential area. These are identified as increased levels of noise, activity, movements, and lifestyle conflicts. The potential for noise disturbance during unsociable hours is identified from the communal areas and the outdoor spaces of the proposed development.

7.3.2. In considering whether student accommodation is an appropriate form of development at the appeal site, as disputed in the appeal grounds, it is necessary to determine the extent to which the proposed development complies with applicable CDP policy.

CDP Policy on Purpose Built Student Accommodation

7.3.3. Key CDP policy relating to student accommodation is included in Objective 3.8 and Objective 11.6 (cited in full in section 5.0 of this report above). The former objective seeks that student housing demand is primarily met in the form of PBSA, at locations which are accessible to higher-level education campuses by walking, cycling or public transport, ideally in certain City areas including brownfield sites, and that schemes contribute to a mixed and inclusive neighbourhood, are high quality and meet students' needs. The latter objective outlines the criteria against which PBSA schemes will be assessed including several qualitative and quantitative design details (12 sub-items).

7.3.4. The planning authority assessed the proposal with regard to CDP Objective 3.8 and Objective 11.6. In the planning authority's initial report, compliance with Objective 3.8(a) and (b) and parts of Objective 11.6 was confirmed, and in the subsequent FI report, compliance with Objective 3(c) and outstanding sub-items of Objective 11.6 was confirmed. The applicant's application and appeal documentation outline the manner in which the proposed development complies in full with the requirements of both objectives.

Extent of Compliance with CDP Objectives

7.3.5. As presented in the following table, I have assessed the proposed development (as revised by the applicant at the FI response stage) against the requirements and criteria included in CDP Objective 3.8 and Objective 11.6.

Table 1: Compliance with CDP Objectives

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.	<p>The site displays very high levels of accessibility, being in close proximity to MTU (c.700m) and UCC (c.2.9km). I estimate that these distances are c.10- and 40-minute walking times and c.3- and 11-minute cycle times respectively. The site is directly served by existing bus services on Model Farm Road (Routes 205 and 220, bus-stops located c.110m-120m to the east and west of the site’s entrance, estimated as c.1.5-minute walking times). Further, the site will be directly served by the planned BusConnects STC E route on Model Farm Road (bus-stops are located c.110m-205m to the east and west, estimated c.1.5 and 3-minute walking times). The site is also in close proximity to the MTU Luas Stop on the planned Luas route (c.730m, estimated c.10-minute walking time).</p> <p>While the site is not located within one of the City areas identified as being ‘ideal’ for PBSA, I consider that this does not prohibit the PBSA scheme at the site given its highly accessible nature, as outlined above. Also, while not a mixed-use redevelopment scheme, I positively note that the proposal is seeking to more efficiently develop a brownfield site for residential development to meet housing needs.</p>

<p>b) At the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood.</p>	<p>The proposed development comprises 21 house units with between five and seven bedrooms and could accommodate up to 160 student residents (160 bedspaces).</p> <p>In its assessment, the planning authority acknowledges that the CDP does not set or define what a disproportionate proportion of student residents in an area would be. Reference is made to available demographic information (CDP Two Year Progress report, applicant's Student Accommodation Demand and Concentration Report (SADCR), CSO Small Area statistics). While the potential proportional increases of students in the respective study areas are noted, the planning authority finds that the proposed development would not result in a significantly unbalanced population (refers to the demographic profiles of other CSO SAs).</p> <p>I have reviewed the applicant's SADCR and first party appeal response. From the demographic information provided (the site is in SAP 048008010, population of 292 persons, 15-24 age cohort is 12.3%), I estimate that the proposed development (160 bedspaces) would have the potential to increase the 15-24 age cohort to c.43.3%. While notable in itself, I consider that the increase is starting from a low total population and low percentage proportion for the student-age cohort.</p> <p>Further, from the SADCR I highlight the planning history data provided for PBSA (Tables 4 and 5) and a contextual map indicating the locations of existing and extant PBSA in relation to MTU and UCC (from a 2023 report). It is evident that there are relatively few PBSA</p>
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	<p>complexes near MTU and/ or in proximity to the appeal site.</p> <p>The site's receiving area is characterised by residential, educational, commercial and employment uses. The residential use is low density conventional two-storey family houses, and I consider the proposed development would diversify both the residential typology on offer and the demographic profile of the area.</p> <p>I agree with the positions of the planning authority and applicant, and consider that the scheme would, on balance, contribute to a mixed and inclusive neighbourhood.</p>
<p>c) The scheme is of a high quality and meets the needs of students.</p>	<p>The proposal has several quality design elements (redevelopment and repurposing of Bishopstown House, architectural design and external treatment of new housing units, communal facilities, hard and soft landscaping).</p> <p>I consider the proposal is of sufficient quality (including quality of accommodation as discussed below) and would adequately meet the needs of students.</p>
<p>Objective 11.6 Purpose-Built Student Accommodation</p> <p>Development proposals for purpose-built student accommodation will be assessed against the following criteria:</p>	
<p>a) The proposed use is consistent with the land use zoning objective.</p>	<p>The proposed use, PBSA is a residential use that is permissible under the applicable zoning objective for the site, ZO 1 'Sustainable Residential Neighbourhoods'.</p> <p>The proposal complies with Policy ZO 1.1 as it provides an appropriate type and quantum of residential use and does not adversely affect or unduly injure either existing</p>

	<p>or future residential amenity (as is discussed in subsection 7.6 below). The proposal complies with Policy ZO 1.2 as the scheme is consistent with the character (residential) and scale (mid-density residential use, modestly scaled buildings) of the neighbourhood in which it is proposed to be situated.</p>
<p>b) The proposed development provides adequate external communal space for the needs of the development, with a purpose-built student bed space being considered equivalent to a mainstream studio for the purposes of this calculation.</p>	<p>The proposed development includes a number of open spaces, key being the lawn to the front of Bishopstown House, a central area framed by the two blocks, and peripheral areas at the rear of the blocks. The SoA (FI response) indicates a total provision of open space of c.1,484sqm (28%) of the site area. This is well in excess of the minimum requirement generated for the proposal of 640sqm (based on 1 bedspace=1 studio apartment @ 4sqm).</p> <p>Having regard to the favourable southern orientation of the main central area, and on review of the landscape plan, planting details and boundary treatments, I consider that the open space for the residents will be of high quality.</p>
<p>c) The quantum of bed spaces does not undermine the ability of Cork City Council to achieve its HNDA targets.</p>	<p>The proposed development comprises 160 bedspaces. The HNDA figures cited in CDP 'Table 3.6: Indicative Purpose Built Student Bedspace Targets' indicate 3,500 student bedspaces being required over the CDP period until 2028, of which 600 bedspaces could be provided by the private sector.</p> <p>In considering the implications for the CDP HNDA targets, I note the planning authority's assessment of the provisions of its CDP. The planner's report refers to planning history HNDA cases post-CDP adoption and acknowledges that the proposal would exceed the 600</p>

	<p>private sector bedspaces target but considers this to be acceptable as the figures in the table are indicative, does not exceed the target for the year (understood to be the 580 bedspaces allowance in 2025), the NPF identifies continued demand for PBSA, and the proposal would support the total targets in the HNDA.</p> <p>Further, I have reviewed recent ACP decisions for PBSA in Cork City (e.g., ACP 323082-25, PA Ref. 25/43847) and note similar justifications have been relied upon to positively consider the schemes. Indeed, additional relevant issues are cited, as also raised by the applicant in the application and appeal documentation, in relation to evidence of the increase in student numbers in third level institutes in the city (in particular that of MTU), on-going strong demand for PBSA, and the identified shortfall in PBSA provision to date in the city.</p> <p>On balance, therefore, I agree with the planning authority and consider that permitting the proposed development would not undermine the achievement of the CDP HNDA targets.</p>
<p>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</p>	<p>I refer the Commission to my response to Objective 3.8(b) above which considers the same substantive issue.</p>

amenity and a balanced community.	
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>The proposed development comprises communal services for the resident population, namely the study, recreational and laundry facilities at ground floor level in Bishopstown House.</p> <p>While the ancillary uses referred to are not provided on-site, I do not consider this to be a failing of the scheme. The proposal is for a scheme of relatively modest intensity, and I consider that the needs of residents will be reasonably met by facilities and services in the locality. I note those identified in the planner's report, applicant's documentation, and at the time of my site inspection.</p>
f) Accommodation is provided to the quantitative standards set out in National Guidelines for student accommodation.	<p>The proposed development comprises PBSA of 21 house units with 5-7 bedrooms (5-8 bedspaces). In principle, the design of the scheme aligns with the main format identified in the National Guidelines for PBSA (i.e., there are no studio units, or cluster apartments).</p> <p>In the applicant's FI response, shortfalls/ discrepancies identified by the planning authority (e.g., maximum bedspace numbers, storage facilities, accommodation for disabled students) are addressed. The SoA (FI response) indicates compliance with the key metrics (e.g., minimum room sizes for single and twin rooms).</p>
g) The proposed development includes internal communal facilities sufficient to meet the needs of the development.	<p>The proposed development includes communal services of the study hub, recreational space and laundry facilities at ground floor level in Bishopstown House. This is indicated as measuring c.82m.</p>

<p>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.</p>	<p>While additional and/ or a greater range of functioning spaces would be preferable, I consider this provision to be acceptable having regard to the total number of bedspaces, and the format of PBSA proposed (i.e., houses with KLD spaces, and the predominance of single bedrooms in the house units.</p>
<p>h) The proposed development includes ancillary facilities adequate to meet the needs of the development, including refuse facilities, car parking and cycle parking.</p>	<p>The proposed development includes for five car parking spaces, 85 bicycle spaces (three locations in the FI response), and one refuse store structure. These facilities are considered adequate to serve proposal and, for the most part, are accessible, conveniently located, and overlooked.</p> <p>As discussed in subsection 7.7 below, I consider the location of the southern bicycle store requires revision so as to protect the residential amenity of proximate ground floor bedrooms.</p>
<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).</p>	<p>The design of the proposal has considered the impact on the surrounding area (evident in the analysis in the Architectural Design Statement, the Sunlight, Daylight and Shadow Assessment, and Architectural Heritage Impact Assessment).</p> <p>The potential for negative impacts arising from undue overlooking, construction phase activities and noise nuisance associated with increased residential activity at the site have been addressed in the design (increased separation distances at FI response stage, removal of patio doors and terrace areas to the rear of house units in</p>

	Block B), and can be managed and/ or mitigated for, particularly in the CEMP.
j) At least 10% of bed spaces are designed for disabled students.	In the applicant's FI response, the shortfall in bedspaces designed for disabled students as identified by the planning authority is addressed. The FI response plans and SoA indicate the provision of 17 single bedrooms (17 bedspaces) that are wheelchair accessible.
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.	<p>The application is accompanied by a Student Accommodation Management Plan (SAMP). The plan outlines details of the management company and their experience with other schemes; on-site management (24 hour presence, dedicated out of hours support); operational measures (security, fob access, CCTV, prohibition of alcohol consumption in amenity areas, cleaning, maintenance, housekeeping); neighbourhood relations (contact adjoining property owners and residents groups, arrange information sessions, management staff contactable at all times); bicycle parking and transport (parking areas cleaned, maintained, use of bicycles encouraged); and summer accommodation (student guests and tourists permissible out of academic terms, provided with same facilities, and subject to the same management requirements).</p> <p>I consider the SAMP to be satisfactory, especially when read in conjunction with the accompanying Student Accommodation Waste Management Plan.</p>
l) Schemes should provide for potential future adaptability for alternative uses, for example mainstream	The applicant's FI response includes a Building Adaptation to Alternative Use Strategy. The strategy outlines the potential adaptation of the houses to ground floor apartments and overhead duplex units without notable structural works.

<p>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.</p>	<p>I consider that the design and layout of the proposal, with terrace rows of house units enclosing an area of open space, is a format that could be suitably adapted for use as conventional houses and/ or apartments and duplexes.</p>
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7.3.6. As can be seen from a review of the above table, I find that the proposed development complies with the requirements of CDP Objective 3.8 and 11.6. In so doing, I conclude that student accommodation is an appropriate form of residential use at the appeal site.

7.3.7. While I acknowledge the appellant’s concerns regarding specific impacts considered to be associated with student accommodation (noise, anti-social behaviour, gathering in communal areas), I consider the implementation of the measures included in the SAMP will address and manage same.

Conditions

7.3.8. In considering conditions managing the use and operation of the scheme, I note those attached by the planning authority, and I have had regard to those applied in recent Commission decisions (see section 4.0 Planning History of this report above). In the event of a grant of permission, I recommend the attachment of An Coimisiún Pleanála (ACP) model conditions relating to the use, occupation, and management of the accommodation (as per the accompanying SAMP).

7.4. Design and Layout

7.4.1. Appeal grounds include opposition to the design and layout of the scheme, stating the proposed development fails to blend in with or complement the existing residences, with an excessive building height that is out of character with the area.

- 7.4.2. The proposed development involves the demolition of a modern office building to the rear of Bishopstown House, and the development of the freed-lands and the remainder of the site with 20 house units in two terrace rows. The proposal involves minimal interventions to Bishopstown House, the design of which are considered in subsection 7.5 below.

Appropriateness of the Design Approach

- 7.4.3. With regard to the character of the receiving area, the adjacent houses in Parklea Court and Greenfields are two storey and single storey dwellings, respectively, with external finishes including render and brick, and arranged in terrace rows.
- 7.4.4. The proposed house units are predominantly three-storey in design, with end-of terrace units in Block B being two storey in design. The third-floor accommodation is achieved through the use of single box-dormer windows in the front and rear roof planes. In terms of visual impact, I consider this design approach allows the proposed units to be read as two storeys in form. I note that the site is located in an 'Outer Suburbs' area for which CDP policy in Section 11.28/ Table 11.1 indicates that an appropriate building height is between 2 and 4 storeys. The proposed development is in compliance with same.
- 7.4.5. The external finishes of the proposed units include varieties of subtle-coloured brick and slate roof (see Dwg No.s P04 and P05, Elevations East, West & North, and Courtyard & South). At the northern and southern ends of Block B, are two-storey hipped roof units which ensure a smooth transition in height and massing towards Bishopstown House and the single storey residences in Greenfields. The layout of the proposed units features two opposing terrace rows framing open space, a layout approach which I consider reflects the residential areas in the vicinity of the site.
- 7.4.6. Having regard to the above, I do not agree with the appellant that the proposal does not complement the existing residences and is out of character with the area. Positively and conversely, I consider the architectural design to be a modern expression of this residential typology, the layout to be a logical arrangement of new buildings, open spaces and services, making an efficient use of the available lands (i.e., to the rear of Bishopstown House thus maintaining the front lawn setting of the protected structure), and the landscape plan (hard and soft landscaping) to be high quality, contributing to the overall visual amenities of the area.

Conditions

- 7.4.7. Subject to the attachment of appropriate ACP model conditions (e.g., final agreement on external finishes, landscaping and planting schedule), I consider the design and layout of the proposed development to be acceptable and not cause injury to the amenities of the area.
- 7.4.8. I do have concerns regarding the design and siting of proposed signage included in the scheme, which are discussed as part of my assessment of architectural heritage in the following subsection.

7.5. Architectural Heritage

- 7.5.1. Appeal grounds include the detrimental impact the proposed development has on Bishopstown House, specifically referring to the visual encroachment of the new buildings on the protected structure.

Background

- 7.5.2. The site accommodates protected structure, Bishopstown House, CDP Ref. No. PS 948 and a modern office building. Key architectural heritage documents on the appeal case include the applicant's initial Architectural Heritage Impact Assessment (AHIA) as supplemented in the FI response, and the Conservation Officer's initial report and subsequent FI assessment report.
- 7.5.3. Bishopstown House is indicated as dating from the early 20th century (c.1905) and being in use as a residence associated with a farming complex originally to the east of the house. As stated by the applicant, and noted at the time of site inspection, the protected structure is in good condition with several original features intact. The office building is indicated to date from c.1999 and is of no architectural heritage value.
- 7.5.4. The proposed development comprises works to the protected structure and its conversion to student accommodation use, and the development of lands to the rear (predominantly) and west of the protected structure. In its FI request, the planning authority raised issues in respect of both the works to the protected structure and to the setting of the PS. The former related to the proposed external materials and features (e.g., pipework), interior details (e.g., wall, doors, joists, ceilings), and

method statements. The latter related to revisions to the design of Blocks A and B seeking the omission of house units, reduction in length, and changes to roof profile.

- 7.5.5. The applicant's FI response includes details, revisions, and specifications relating to works in the protected structure, which are largely to the satisfaction of the planning authority. In respect of the new buildings, key changes include those made to Block B with the omission of one house unit (increasing the separation distances (c.3m) from the rear elevation of the protected structure) and changes to the eaves height and roof profile of the northern-most House Unit 1 (to be similar to, hipped to lessen the impact on those of the protected structure), and to Block A (amended hipped roof profile of the northern-most House Unit 20).

Works to Bishopstown House

- 7.5.6. Of the works to the protected structure, I consider the design approach taken by the applicant to be sympathetic to the character and integrity of the protected structure and agree with the acceptance of same by planning authority. I consider these to be relatively minor internal works (changes to floor plan layouts through removal of walls and/ or blocking up of doorways, whilst retaining key features including the original fireplaces) and external elevational changes (door and window openings/ blocking ups) to the side and/ or of the protected structure (in particular in the 1970s extension).

Works within the setting of Bishopstown House

- 7.5.7. Of the new buildings proposed within the site, I positively note the amendments made in the FI response. As highlighted by the Conservation Officer, the setting to the rear of the protected structure is already somewhat compromised by the presence of the modern office block. The character of the protected structure is largely imbued by its elevated position within the site, the manner in which it addresses Model Farm Road, and its front lawn setting, free of development.
- 7.5.8. I acknowledge the appellant's criticism that the applicant only omitted one house unit as opposed to the potential four units subject of the FI request. However, as outlined in the applicant's Supplementary AHIA and as assessed by the Conservation Officer, the changes made ensure that the setting of the protected structure is not adversely affected and are considered to be sufficient. I agree with both the applicant and planning authority and find that the changes made to the proposal will better protect

the character of the protected structure. The new buildings are all to the rear of the protected structure, do not break the front building line, or encroach into the front lawn setting.

Signage

- 7.5.9. The planning authority raises concerns regarding the nature of the proposed signage to be attached to the protected structure (on the front and rear elevations, see Dwg No. P04 Bishopstown House Proposed Floor Plans and Elevations) and recommends restrictions to signage on the protected structure of same by condition. I agree and find that any proposed signage attached to the protected structure would be unnecessarily injurious to the integrity of the PS. I note that the proposed development includes signage on the side (northern) elevation of House Unit 20, and two flagpoles along the internal access road (outside of the entrance sightlines, see Dwg No. P02, Proposed Signage). I consider this to be a sufficient amount of signage to serve the proposed development.
- 7.5.10. Further, I consider that the area to the front of the protected structure (front and side open lawns, street frontage) could be vulnerable to any additional signage and, for the avoidance of doubt, I recommend that any further signage is restricted by condition so as to protect the setting of Bishopstown House.

Conditions

- 7.5.11. As the proposal involves several interventions to, of and in the protected structure, to accord with best conservation practice, CDP and planning guidelines requirements, in the event of a grant of permission, I consider that ACP model conditions should be attached to manage the demolition and construction processes.
- 7.5.12. These include requiring a full architectural and photographic survey of all elements of the structure proposed for demolition, partial demolition, retention, restoration, blocking-up and so forth to be undertaken; requiring a detailed method statement for the works proposed; and ensuring that all works are monitored and undertaken by suitably qualified personnel.
- 7.5.13. I have reviewed the architectural heritage related conditions attached to the planning authority's grant of permission (Conditions 4-8). I consider these conditions are addressed by the ACP model conditions and I recommend bespoke conditions are

incorporated into the ACP model conditions (e.g., specifications on external finishes and features, details of internal works).

7.5.14. Finally, to reflect the heritage value of the site, I recommend a condition be attached requiring the naming of the proposed development be based on local historical or topographical features.

7.5.15. Having regard to the above, I find the proposed development complies with the requirements of CDP Objective 8.11 relating to the protection and regeneration of protected structures. Subject to conditions, I do not anticipate any adverse impact on the architectural heritage of the protected structure, its setting, or wider receiving area.

7.6. Residential Amenity

7.6.1. Appeal grounds include overlooking, overshadowing, overbearance, loss of views, and negative effect on the value of adjacent residential properties in Greenfields and Parklea Court.

7.6.2. I identify the amenity of future residents in the scheme and compliance with applicable planning standards as relevant planning considerations.

Existing Residential Amenity

7.6.3. As outlined previously, existing residential properties adjoining the appeal site include those to the east in Parklea Court (two storey dwellings) and to the south in Greenfields (single storey dwellings). Parklea Court properties front onto the site's eastern boundary (except No. 13 which is side-onto), while four properties in Greenfields side and back-onto the site's southern boundary.

7.6.4. In terms of layout, the Parklea Court properties will continue to address the side elevation of Bishopstown House, and address or side-onto the rear elevations of the house units in Block B. The adjacent Greenfield properties will side and back-onto the side elevations of the end units of Block A (House Unit 10) and Block B (House Unit 9). These side elevations are blank gables, with no windows. The closest proposed house is House Unit 9, which is two storeys in design with a hipped roof profile.

7.6.5. I note the separation distances between the rear elevation of Block B and the side and fronts of Parklea Court properties vary between c.20.5m-c.34m. Within the

intervening area are front garden spaces, the public roadway and footpath, car parking spaces, a grassed area with an embankment, and boundary fence and hedging. While I acknowledge that the ground level in the site is slightly higher than that of Parklea Court, this difference in level applies to the location of Bishopstown House as opposed to the majority of Block B. The separation distances between the side elevations of the Blocks' end units and the Greenfield properties vary between c.11.6m and 23.5m.

7.6.6. Having regard to the orientation of the Parklea Court properties (facades and front gardens face the proposed development, not the more sensitive rear elevations and back gardens), that the facades and front gardens of these properties are presently visible from the public realm, the extent of the separation distances (some notably in excess of the minimum 16m separation distance cited in the Compact Settlement Guidelines for between opposing windows), the modest building heights of Blocks A and B (2 to 3 storeys), and the nature of the intervening space, I am satisfied that properties in Parklea Court would not be adversely affected by overlooking, overshadowing or overbearance from the proposed development.

7.6.7. Similarly, for the Greenfield properties, due to the absence of fenestration in the side elevations of proposed Blocks A and B, the separation distances involved (notably these properties are single storey in height so there are no above ground floor windows subject to a minimum separation distance), the height and massing of the end units of Blocks A and B, and the orientation to the site (the existing properties are due south of the proposed development), I am also satisfied that the properties in Greenfields would not be adversely affected by overlooking, overshadowing or overbearance from the proposed development.

7.6.8. In respect of loss of views, while I acknowledge that the existing outlook of the surrounding properties will be altered, for the reasons outlined in subsection 7.4, I consider the design and layout of the proposed development to be acceptable, in particular following the revisions made at FI response stage involving increased separation distance from the properties to the south and alterations to the roof profiles to lessen the degree of impact on those adjacent residents.

7.6.9. Of the appeal ground that the proposed development will adversely affect property prices, no evidence has been put forward by the appellant of loss of value of

properties. Conversely, I consider that the development of a presently vacant underutilised site with an attractive, landscaped and managed residential scheme will improve the amenities of the area.

Future Residential Amenity

7.6.10. While not raised as an appeal ground, I confirm to the Commission that I have reviewed the plans and particulars of the student accommodation (as per the FI response). I have considered the future amenity of student residents as part of the compliance with CDP Objectives 3.8 and 11.6 in subsection 7.3 above. I find that the future residents will be provided be quality accommodation, which meets the required minimum standards where specified, and provided with communal facilities and services in a managed environment.

Conditions

7.6.11. In subsection 7.3 above, I have previously indicated ACP model conditions to attach relating to the use of the scheme and the implementation of SAMP which will protect residential amenity. Further recommended ACP model conditions related to residential amenity include the agreement of a final CEMP to best manage construction phase impacts (which will address several of the planning authority conditions) and for an Operational Waste Management Plan (the submitted Student Accommodation Waste Management Plan was based on the initial layout and requires finalisation).

7.6.12. The planning authority included a bespoke condition (Condition 9(a)) requiring the relocation of Bicycle Store C (proposed in the FI response) from the south of the site between House Units 9 and 10. The store is c.2.5m from ground floor windows of both units. I agree with planning authority, consider the store to be poorly sited and for there to be a high likelihood of disamenity caused to residents. I recommend the inclusion of this bespoke condition, and as discussed in subsection 7.7, final agreement with the planning authority on the location and design of all cycle parking spaces.

Residential Density

7.6.13. In the interests of completeness for the Commission, I have considered the density of the proposed development. In the initial planner's report, the density of the

scheme was based on 170 bedspaces and calculated as being 79.73 units/ha (applying the guidance in the Compact Settlements Guidelines that four bedspaces shall be the equivalent of one dwelling for student housing). The report continues with a consideration of the density in the context of the CDP density range for the site (Outer Suburbs, 40-60dph) and provisions in the Compact Settlement Guidelines (higher density allowable due to accessibility to Bus Connects). It is concluded that a density of c.80dph is suitable for the site.

- 7.6.14. Based on 160 bedspaces, I calculate the density of the scheme as 75dph. The site is located in the 'Outer Suburbs' with a density range of 40-60dph as outlined in CDP Table 11.2, as such, the proposed development exceeds the CDP density target.
- 7.6.15. Based on the provisions of the Compact Settlement Guidelines, I consider that the site can be categorised as a 'City – Urban Neighbourhood' due to the proximity of the site to the planned BusConnects route, STC E: Ballincollig to City with bus-stops being located between c.110m-c.205m from the site entrance. As such, the density of the proposed development is within the required Compact Settlement Guidelines range for such locations.
- 7.6.16. I have given consideration to whether the proposed development, in exceeding the CDP density range for the site, constitutes a material contravention of the development plan. In so doing, I have had regard to the recent decision on ACP 323082-25 (PA Ref. 25/43847) whereby a similar issue arose. The Commission determined that exceeding the CDP density range was not a material contravention. There are similarities in that case and the appeal case, and I consider the same rationale is applicable in this instance.
- 7.6.17. As the proposed density is marginally above the upper limit in the CDP density range and well within the density range required in the Compact Settlements Guidelines, as the site is in highly accessible location on the STC E BusConnects route, as the proposed development represents an efficient use of zoned and serviced lands, and involves the reuse and regeneration of the protected structure within the site, I do not consider the proposed development to materially contravene the overarching provisions in the CDP relating to the proper planning and sustainable development of the area.

7.7. Access, Traffic and Transport

- 7.7.1. Appeal grounds related to traffic focus on the inadequate provision of on-site car parking to serve the proposal and the adverse impacts associated with overspill car parking demand in the adjacent area.
- 7.7.2. I also identify issues relating to access and transport (including cycle and pedestrian infrastructure) associated with the planning authority conditions as relevant planning considerations.

Access and Transport

- 7.7.3. Access to the proposed development is via the existing entrance from Model Farm Road. The proposal seeks revisions to the entrance and front boundary, including the demolition of the existing entrance piers, and the construction of a new entrance gate (with a separate pedestrian gate) and a setback retaining wall with railing and footpath.
- 7.7.4. The design and layout of the proposed entrance arrangements and front boundary wall were subject of the planning authority's FI request, due in part to ensuring compliance with the most recent design of the BusConnects route.
- 7.7.5. As indicated in the applicant's FI response (see Dwg No. P10 Proposed Site Layout), the front boundary line is set back by between c.2.5-4m, and the proposed pedestrian pathway connects into the existing pathways to the west of the entrance and further to the east (at Parklea Court).
- 7.7.6. The proposed entrance, front boundary, and pedestrian infrastructure are subject of four bespoke conditions (Conditions 27-29, 41) of the planning authority decision. This includes a requirement for a section 48(2)(c) Special Development Contribution (€40,000) towards the cost of delivering the pedestrian footpath connection eastwards to the existing footpath at Parklea Court. I agree with the planning authority regarding the necessity for the pedestrian infrastructure at this location, which will unarguably be to the benefit of the proposed development. I have reviewed the planning authority's Development Contribution Scheme and consider that the infrastructure is exceptional and not otherwise covered by the Scheme.
- 7.7.7. I consider the bespoke conditions to be reasonable, necessary and recommend the continued attachment of same in the event of a grant of permission. I consider that

the ACP model condition for a section 48(c) special development contribution is appropriate in this instance.

Traffic

- 7.7.8. The proposed development provides five on-site car parking spaces and 85 bicycle parking spaces. I consider, as noted by the planning authority, that the scheme is designed for occupants to rely on public transport (as discussed previously, the site is highly accessible) and utilise active transport. The limited on-site car parking provision will not result in excessive traffic generation at the site, and the rates of set down/ drop-off movements are reasonably anticipated as being within acceptable parameters for this suburban site.
- 7.7.9. Arising from CDP requirements (Table 11.13 and Table 11.14, Car and Bicycle Parking), the proposed development generates a requirement for 16 car parking spaces and 80 cycle spaces.
- 7.7.10. As raised in the appeal grounds, I acknowledge that the car parking provision of five spaces is below same. However, I note the requirement is a maximum quantum and that the CDP has a strong policy context allowing for and indeed requiring reduced car parking provision in locations such as the appeal site, which are proximate to destinations such as third level institutions and well served by public transport options (i.e., CDP policy in Section 4.106 and Section 11.237, cited in section 5.0 of this report above). Accordingly, I find the number of on-site parking spaces to be acceptable.
- 7.7.11. While I acknowledge the appellant's concerns regarding the potential for overspill parking demand in the surrounding area, I consider that these are public roads, accessible to all road users, and maintained by the planning authority with public funding. Any incidence of overspill parking to roads or locations where to do so is illegal would require enforcement by relevant statutory bodies. I note that the planning authority did not cite any concerns regarding overspill parking and the adverse impact on residential amenity. I do not consider the issue to be a reasonable basis for a refusal reason in and of itself for the same reasons (outlined above) as to why I find the on-site parking provision to be acceptable.

7.8. Water Services

- 7.8.1. Appeal grounds related to water services include concerns relating to the use of attenuation tanks and the potential of flooding adjacent properties should the system fail.
- 7.8.2. Surface water drainage proposals for the scheme include collection of stormwater using SuDS features, discharge to attenuation tank, and connection to the public surface water network. While I acknowledge the appellant's concerns, no evidence for same has been presented. I have reviewed the applicant's Engineering Report, plans and particulars (including at FI response stage), and the report of the Drainage section of the planning authority. The use and design of the system is standard and conventional, and the planning authority raised no issues with same.
- 7.8.3. The planning authority recommends the attachment of surface water related conditions (Conditions 10-19, and 37). I have reviewed same and consider that the ACP model condition (for agreeing all surface water design and specification items) covers all the sub-items included in the planning authority conditions and, accordingly, recommend the attachment of same. Condition 16 states the drainage will not be taken in charge by the local authority, I consider this to be addressed in the ACP model condition requiring the establishment of a management company of the scheme.
- 7.8.4. In relation to water services provided by Uisce Eireann, no issue is raised in respect of water supply. Wastewater drainage was raised in the FI request, and the FI response outlines different options to service the proposed development (the applicant indicates a preference for the second option, new sewer through site). In any event, it is apparent from the UE CoF that a final option will be decided between the parties. As such, I consider that the ACP model condition for UE connections is appropriate.

7.9. Other Matters

- 7.9.1. In respect of other matters, I identify environmental assessments, and other planning conditions not previously discussed.
- 7.9.2. The site is a brownfield suburban location with no evidence of biodiversity or other environmental sensitivities. The Curragheen River is the closest watercourse,

located c.377m to the north of the site. There are no direct hydrological and/ or ecological connections between the site, any surface or groundwater body, and/ or any protected nature designation. No issues arise in respect of AA, EIA, or WSIA and requirements for same have been reasonably screened out.

- 7.9.3. An Ecological Impact Assessment (EclA) accompanied the application. The EclA includes Mitigation Measures (Chapter 7) and Recommendations for Ecological Enhancement (Chapter 9) relating to flora (including trees) and fauna (including bats and birds) at the site. I note the planning authority conditions relating to biodiversity and consider the ACP model conditions relating to implementing measures in the EclA under supervision of an ECoW would address the requirements of same. The application also included a Tree Survey and Arboricultural Report, and I recommend the attachment of the ACP model condition to manage the proposed tree removal.
- 7.9.4. In respect of the demolition of the office structure, while I note the contents of the CWMP, I recommend that the applicant prepare a Resource Waste Management Plan (RWMP) for agreement with the planning authority. This will address the demolition process and be prepared in accordance with the EPA guidelines for same.

8.0 Appropriate Assessment

8.1. Screening Determination for Appropriate Assessment

- 8.1.1. In accordance with section 177U(4) of the Planning and Development Act 2000, as amended (2000 Act), and on the basis of objective information, I conclude 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 2000 Act is not required.
- 8.1.2. This conclusion is based on:
- Nature, scale and location of the proposed development.
 - Qualifying interests and conservation objectives of the European sites.
 - Absence of any meaningful pathways to any European site.

- Distances from European sites.
- Standard pollution controls and project design features that would be employed regardless of proximity to a European site and the effectiveness of same.

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

9.0 Environmental Impact Assessment

9.1. The proposal is of a class of development identified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended (2001 Regulations) for the purposes of Environmental Impact Assessment (EIA). Accordingly, I have undertaken a pre-screening exercise and preliminary examination of the proposed development (see Appendix 1 and Appendix 2 respectively of this report below).

9.2. By taking into account the nature and scale of the proposed development, the location of the site on zoned and serviced lands within an existing built-up area and outside of any sensitive and/ or designated location, the existing pattern of development in the vicinity, the information and reports submitted as part of the application and appeal, and the criteria set out in Schedule 7 of the 2001 Regulations, I have concluded that there is no real likelihood of significant effects on the environment arising from the proposed development, and that the need for an EIA and the submission of an EIAR is not required.

10.0 Water Status Impact Assessment

10.1. Screening Determination for Water Impact Status Assessment

10.1.1. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface water and ground waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

10.1.2. I conclude that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either

qualitatively or quantitatively, or on a temporary or permanent basis, or otherwise jeopardise any waterbody in reaching its WFD objectives and consequently can be excluded from further assessment.

10.1.3. This conclusion is based on:

- Nature, scale and location of the proposed development.
- Objective information presented in the case file and from verified sources.
- Absence of/ proximity to closest surface watercourses.
- Lack of any meaningful hydrological connection to any waterbody.
- Use of best practice construction practices during construction phase.

11.0 Recommendation

Following from the above assessment, I recommend that permission is GRANTED for the development as proposed due to the following reasons and considerations, and subject to the conditions set out below.

12.0 Reasons and Considerations

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

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars received by the

planning authority on the 15th day of August 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development shall be used for student accommodation or accommodation related to a Higher Education Institute, or tourist/ visitor accommodation only during academic holiday periods, and shall not be used for the purposes of permanent residential accommodation, or as a hotel, hostel, apart-hotel or similar use, without a prior grant of permission.

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

3. The development shall be implemented as follows:
 - a) The student accommodation scheme shall be operated and managed in accordance with the provisions of the Student Accommodation Management Plan submitted with the planning application (by an on-site management team operating on a 24-hour, full-time basis).
 - b) House Units and/ or bedrooms within each House Unit shall not be amalgamated or combined.

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

4. Prior to the commencement of development on the protected structure, the applicant shall submit, for the written agreement of the planning authority, a full architectural and photographic survey of all elements of the structure proposed for demolition, partial demolition, retention, restoration, blocking-up

or any other such intervention, and drawings (of an appropriate scale of not less than 1:50 (unless otherwise specified by the planning authority)) and photographs indicating details of same.

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

5. Prior to the commencement of development on the protected structure, the applicant shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:

(a) a full specification, including details of materials and methods of works, to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage & the Gaeltacht.

(b) methodology for the recording and/ or retention of concealed features or fabric exposed during the works.

(c) details of features to be temporarily removed/ relocated during construction works and their final re-instatement.

(d) details of features to be protected in-situ protection during the construction works.

(e) materials/ features of architectural interest to be salvaged.

(f) details of the openings between rooms GF03 and 04 and GF05 and 06 indicating the retention of wall nibs and suitable downstands.

Details to be accompanied by drawings of an appropriate scale of not less than 1:50 (unless otherwise specified by the planning authority).

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

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

(a) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and

(b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

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

7. a) Prior to the commencement of development, the applicant shall submit for the written agreement of the planning authority, details, specifications and/ or samples of all external materials (including those of windows, doors, and pipework) proposed for the protected structure, new buildings (house units, stores), boundary treatments, and a maintenance strategy for same.

b) No uPVC/ PVC material shall be used on/ in the exterior of the protected structure.

c) All works shall be carried out in accordance with the written agreement.

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

8. a) Prior to commencement of development, the applicant shall submit for the written agreement of the planning authority, proposals for a development name and numbering scheme and associated signage. Thereafter, all such name and numbering shall be provided in accordance with the agreed scheme.

b) The development name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/ marketing signage relating to the name(s) of the development shall be erected until the applicant has obtained the planning authority's written agreement for the proposed name(s).

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

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

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

10. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to the planning authority for its written agreement. This plan shall provide details of the construction practice for the development including, inter alia:

a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.

b) Location of areas for construction site offices and staff facilities.

c) Details of site security fencing and 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 CEMP shall be kept for inspection by the planning authority.

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

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

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

a) The final geometric design for the proposed entrance and its interface with Model Farm Road. The final geometric design shall allow for the delivery of a dedicated signalised pedestrian crossing and measures to prevent unauthorised parking on the southern side of Model Farm Road.

b) The set back area to the northern part of the site, pending the delivery of BusConnects infrastructure, shall not be used for parking and the developer shall implement suitable measures to prevent same.

- c) The redesign/ repositioning of Bicycle Store C in an alternative location to avoid adverse impact on adjacent House Units.
- d) The redesign of Bicycle Stores A and B as a covered design.
- e) All works shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority.

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

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

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

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

14. a) No signage is permitted on the exterior elevations and/ or within doors and windows of Bishopstown House.

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

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

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

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

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

16. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

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

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

18. a) The Mitigation Measures and Recommendations for Ecological Enhancement contained in the submitted Ecological Impact Assessment Report, shall be implemented.

b) All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the planning authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period.

Reason: To protect the environment.

19. The following requirements shall be complied with:

a) The developer shall engage the services of a qualified arborist as an arboricultural consultant for the entire period of works.

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

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

d) The developer shall facilitate the work of the arboricultural consultant in implementing the measures in the Arboricultural Report and bear the costs of same.

Reason: In the interests of arboricultural and environmental protection.

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

Reason: In the interests of pedestrian and traffic safety.

21. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

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

22. a) All areas within the development not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

b) Details of the management company contract, and drawings/ particulars describing the parts of the development for which the company would have responsibility, shall be submitted to and agreed in writing with, the planning authority before any of the student accommodation units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development.

23. a) An Operational Waste Management Plan (OWMP) containing details for the management of waste within the development, the provision of facilities for the storage, separation, and collection of the waste and for the ongoing operation of these facilities, shall be submitted to the planning authority for its written agreement, not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed OWMP.

b) The OWMP shall provide for screened communal bin stores, the locations and designs of which shall be as indicated in the plans and particulars lodged within the application unless otherwise agreed in writing with the planning authority. Bin stores shall not be stored on the public footpath.

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

24. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority and/ or management company of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

25. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and

the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

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

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report, in an improper or inappropriate way.

Phillippa Joyce

Senior Planning Inspector

10th February 2026

Appendix 1: Environmental Impact Assessment – Pre-Screening

1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA?	
(“Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.	
<input type="checkbox"/> No, no further action required.	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3.	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/ exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/ exceeds the threshold.	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Proceed to Q4.	Class 10(b)(i) and/ or Class 10(b)(iv) Relevant thresholds arising from Class 10(b): - Class 10(b)(i): more than 500 dwelling units. - Class 10(b)(iv): urban development in an area greater than 10ha
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
<input checked="" type="checkbox"/> No	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Environmental Impact Assessment – Preliminary Examination

The Commission carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector’s Report attached herewith.

Characteristics of proposed development

(In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/ disasters and to human health).

Project comprises the change of use of Bishopstown House from medical/ health services to student accommodation use, demolition and construction works to the building, demolition of separate office building, construction of a student housing scheme (160 no. bedspaces), and range of associated site works. It does not differ significantly in terms of character or of scale from the surrounding area (i.e., residential uses adjacent, student housing in the wider area, modest scaled buildings, c. 2-3 storeys in height).

Project would cause physical changes to the appearance of the site during the construction and operation (occupation) phases. However, the former would be temporary in nature and not significant, and the latter are associated with new buildings, boundaries, and landscaping. These are within acceptable parameters for the receiving area, a city suburb infill site.

No significant use of natural resources is anticipated. The project would connect into the public water supply system. The project proposes separate wastewater and surface water drainage systems on-site (with SuDS features), which would connect and discharge into the public systems. All water services networks have sufficient capacity to accommodate demands.

Construction phase activities would result in the use of potentially harmful materials (including potential for asbestos), and cause noise and dust emissions. These would likely be typical of similar construction sites. Conventional waste produced from construction and operational activities would be managed.

Project would not cause significant risks to human health through water contamination/ air pollution due to the design of the scheme, connection to public water services systems, and scale of residential activity arising.

<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/ capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>Project is not located in, on, or adjoining any European site, any designated or proposed Natural Heritage Area, or any other listed area of ecological interest or protection. The site is brownfield with vacant commercial buildings, surface car parking, hardstanding, and lawn areas. There is no evidence of the presence of any protected habitats, plants, or fauna species.</p> <p>The Curragheen River is the closest watercourse, located c.377m to the north of the site. There are no direct hydrological and/ or ecological connections between the site, any surface or groundwater body, and/ or any protected nature designation.</p> <p>The site is not within/ does not include any protected landscape views, archaeological monuments, or ACAs. Bishopstown House, a protected structure, is located within the site, however the design and layout of the project are considered to be sympathetic to and appropriate for the character and setting of the protected structure. No significant impact is anticipated.</p>	
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Amelioration of environmental impacts have been incorporated into the project's design.</p> <p>Mitigation measures would include those required by conditions attached in the event of a grant of permission in relation to construction and operation phases.</p> <p>There are no likely significant effects identified or anticipated in terms of cumulative and/ or transboundary effects.</p>	
<p>Conclusion</p>		
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>	<p>Yes or No</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>	<p>Yes</p>
<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p>	<p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>No</p>
<p>There is a real likelihood of significant effects on the environment.</p>	<p>EIAR required.</p>	<p>No</p>

Inspector: _____ Date: _____