

APPENDIX C**Planning conditions that the Planning Authority would recommend in the event that An Bord Pleanála decides to grant permission, together with the reasons and grounds for such conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No permission is granted for Block C, and its associated access road and car parking. Full details, including site layout and site sectional drawings, shall be submitted to, and agreed in writing with, the Planning Authority prior to development commencing.

Reason: In the interests of protecting and conserving the heritage of the protected structure and its curtilage structures and demesne.

3. The height strategy of the proposed blocks should be revised to help reduce the potential negative impact on the setting of the protected structure and its associated historic landscape. The heights of the following blocks should be revised as indicated:

- Block D: 4 & 3 storey elements reduced to 3 & 2 storeys
- Block E: 5 & 4 storey elements reduced to 4 & 3 storeys

Full details, including elevational and sectional drawings, shall be submitted to, and agreed in writing with, the Planning Authority prior to development commencing.

Reason: In the interests of protecting and conserving the heritage of the protected structure and its curtilage structures and demesne.

4. Prior to commencement, the Applicant is requested to submit a revised set of plans showing the following:
 - a) The ground-floor west elevation of Block D to be clad in a stone finish up to the height of the existing boundary wall to preserve the character of the demesne.
 - b) All works to the Buildings A and B, including boundary wall and gates, shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of the Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement. All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric. The architectural detailing and materials in the new work shall be executed to the highest standards to complement the setting of the curtilage protected structure and the historic area.

- c) The conservation works to Building A and B and their boundary treatments including historic gates, should be undertaken first.

Full details, including elevational and sectional drawings, shall be submitted to, and agreed in writing with, the Planning Authority prior to development commencing.

Reason: In the interest of protecting, conserving and enhancing the heritage of the protected structure and its curtilage structures and demesne.

- 5. Prior to commencement, the Applicant is requested to submit a revised set of plans showing a greater proportion of family units provided, preferably at lower floor levels with good levels of access to the communal space.

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

- 6. The new vehicular entrance north of blocks B and D shall also contain a pedestrian footpath to provide pedestrian access (from the north/south Besboro spine road) to the woodland/parkland west of The Farm development. Full details, including site layout and site sectional drawings, shall be submitted to, and agreed in writing with, the Planning Authority prior to development commencing

Reason: In the interest of sustainable development.

- 7.
 - a) No construction or site preparation work may be carried out on the site until all archaeological requirements of the City Archaeologist are complied with.
 - b) The developer shall retain a suitably qualified archaeologist to carry out licenced archaeological monitoring of the topsoil stripping and construction of the sewer connection located to the west of the site.
 - c) In the event of archaeological features being located, the archaeologist shall immediately contact the City Archaeologist who shall determine the further archaeological resolution of the site. Further, it is obligatory under the National Monuments Amendment Act 2000 that such is brought to the attention of the National Monuments Service and the National Museum of Ireland.
 - d) The City Archaeologist and the National Monuments Service shall be furnished with a report describing the results of site inspections.

Reason: In the interest of preserving, or preserving by record, archaeological material likely to be damaged or destroyed during development.

- 8. Full details including samples of all external finishes (including hard landscaping elements) shall be submitted to and agreed in writing with the Planning Authority prior to development commencing.

Reason: In the interest of visual amenity.

- 9. Car parking including the provision of disabled bays, motorcycle parking, EV charging and future provision for EV charging for the development should be provided in accordance with the drawings and documents submitted with the application and should be compliant with the development plan.

Reason: In the interest of traffic safety and sustainable development

10. Cycle parking for the development should be provided in accordance with the drawings and documents submitted with the application. With regard to cycle parking for apartments, the quantum, location and design of cycle parking for apartments should be provided in accordance with the Sustainable Urban Housing Guidelines for New Apartments

Reason: In the interest of traffic safety and sustainable development.

11. A mobility management plan must be implemented and managed from first occupation to promote the use of active travel modes, to prevent the development being car based and prevent parking overspill on the public roads in the vicinity of the site.

Reason: In the interest of sustainable development.

12. The findings of the Stage 1/2/3/4 Road Safety Audits shall be closed out, signed off and incorporated into the development at the appropriate stage at the developer's expense.

Reason: In the interest of traffic and public safety

13. Prior to commencement of development, the Applicant shall agree the details and the extent of any changes to signalling on the affected signalised junctions with the Planning Authority. All costs associated with this condition to be borne by the Applicant.

Reason: In the interest of traffic safety.

14. The public lighting scope and design must be agreed with the Public Lighting department of Cork City Council prior to commencement of the development. The design must be carried out in accordance with
 - Cork City Council Exterior Lighting Design Requirements Revision 10.
 - Code of practice BS 5489-1:2020. Design of road lighting - Lighting of roads and public amenity areas.
 - BS EN 13201 - Road lighting.

All Public Lighting designs shall be submitted directly to CCC Public Lighting Department for approval prior to construction.

Reason: To cater for more sustainable energy use and facilitate the proposed improvement in the level of service for all modes but especially pedestrians and cyclists.

15. A full Construction Traffic Management Plan for the proposed development including dedicated haulage routes, a protocol to be followed by HGV drivers and allowable operational times for the HGV's on the city's road network shall be agreed with Cork City Council in consultation with An Garda Síochána before works commences on site.

Reason: In the interest of traffic and public safety.

16. Prior to commencement of development, the Applicant shall agree the details and the extent of all road markings and signage requirements on the surrounding affected public roads with the Planning Authority. All costs associated with this condition to be borne by the Applicant.

Reason: In the interest of traffic safety.

17. The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: To ensure the satisfactory completion of water supply and waste water collection infrastructure.

18. Quality Audit: The applicant is required to fully complete all aspects of a Quality Audit, including a Street Design Audit. All findings of the Quality Audit at the initial and detailed design stage shall be closed out, signed off and incorporated into the development and paid for by the applicant in full unless the Planning Authority approves any departure in writing.

Reason: In the interest of pedestrian safety and convenience

19. Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of a legally incorporated management company which shall be responsible for the future maintenance and upkeep of all services within the development site including roads, footpaths, open spaces and amenities, car parks, public lighting, surface water drainage systems and communal waste storage.

Reason: To ensure the satisfactory maintenance of the site in the interest of visual and residential amenity.

20. Prior to the development commencing the applicant shall submit to and agree in writing with the Planning Authority full details of the pedestrian crossing(s) provision of the internal access road. All amended vehicular, pedestrian and cyclist access points and shared surfacing shall be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with the Planning Authority

Reason: In the interest of pedestrian safety.

21. A shared surface is to be provided with the materials, finishes and other measures designed to ensure the objectives of shared space are achieved. These being: inclusive environment, ease of movement, safety & public health, quality of place and economic benefit. All amended vehicular, pedestrian and cyclist access points and shared surfacing shall be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). Details must be submitted and agreed with Cork City Council prior to commencement of development. All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with Cork City Council.

Reason: In the interest of pedestrian safety

22. The proposed cycle/pedestrian bridge and access connection to the Greenway shall be constructed, and open for use, prior to first occupancy of the residential units.

Reason: In the interest of traffic safety, public safety and sustainable development.

23.

- a) The proposed cycle/pedestrian bridge shall have a clearance height under the bridge to be a minimum of 4.9m.
- b) No bridge piers shall encroach within 1m of the edge of the greenway surface.
- c) The detailed design of the bridge will require to include for safe turning movements for cyclists and pedestrians between the ramp and the bridge and shall require a safety audit in that regard. Details of the safety audit and confirmation of the measures to address any items raised in the safety audit shall be provided to Cork City Council prior to development of the proposed bridge.
- d) Measures will be required to ensure the stability of the existing access ramp during construction of the proposed bridge. Details of measures to ensure stability will be agreed with Cork City Council prior to the commencement of any works building the proposed bridge.

Reason: In the interest of traffic safety, public safety and sustainable development.

24. Full details of all signage associated with the overall scheme and individual buildings/blocks shall be submitted to and agreed in writing with the Planning Authority prior their erection on site.

Reason: In the interest of the visual amenities of the area.

25. Drainage layouts and details shall be in accordance with drainage layouts, drawings, details and calculations submitted as part of Planning Submission, subject to drainage conditions.

Reason: In the interests of public health

26. In finalising the SuDS strategy, the Applicant is requested to consider the following recommendations by the Planning Authority:

- Have regard to the recent Dept of Housing, Local Government and Heritage, interim guidance entitled: "Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas".
- Coordinate the proposed SuDS measures into the landscape strategy. A combined SuDS & landscape layout, coordinating the landscape master plan (ref. IRLA-210604-2000) and the SuDS layout plan (ref. 21207-JBB-PH2-XX-DR-C-04005)) to be submitted to the Planning Authority for approval.

Reason: In the interests of public health

27. Prior to commencement, the Applicant shall clarify whether or not it is their intention to have the proposed drainage infrastructure within the development taken in charge.

Reason: In the interests of public health

28. There is no "taken in charge" drainage infrastructure within the Bessboro Convent site. As such, where it is the Applicant's intention to convey drainage flows from the proposed

development to the public sewerage via existing private drainage, the Applicant shall ensure that the necessary third-party consents are in place, prior to commencement.

Reason: In the interests of public health

29. Where the Applicant proposes to have third-party drainage infrastructure taken in charge, to facilitate the connection of the proposed development to the public sewerage systems, the Applicant shall submit written confirmation of the asset owner's consent in this regard.

Reason: In the interests of public health

30. Where it is intended that drainage infrastructure servicing the development is to be taken in charge upon completion, it the responsibility of the Applicant to ensure all necessary consents (third party or otherwise) and wayleaves to facilitate the taking in charge process are in place.

Reason: In the interests of public health

31. Where the Applicant does not intend to have the drainage infrastructure taken in charge, they shall submit details of the proposed "in perpetuity" maintenance strategy, prior to commencement.

Reason: In the interests of public health

32. Prior to the making of any new connection to the public stormwater system, the Applicant shall enter into a new connection agreement with Cork City Council.

Reason: In the interests of public health

33. It is noted from drawing 21207-JBB-PH2-XX-DR-04002 that the sections of drainage between manholes F.B4 / S.B4 and F.B6 / S.B6 are routed beneath a 5.9m high throughway, through Block 'D'.

Where the Applicant proposes to have this drainage infrastructure taken in charge, they shall confirm the details of the proposal in advance with the Planning Authority / Irish Water, prior to commencement.

Where the details submitted are not satisfactory, the drainage within the development may be deemed unsuitable to be taken in charge

Reason: In the interests of public health

34. Where the applicant/developer proposes to connect to a public water/wastewater network operated by IW, the applicant/developer must sign a connection agreement with IW prior to the commencement of the proposed development on site. The applicant/ developer must adhere to the standards and conditions set out in that agreement.

Reason: In the interests of public health

35. In the interest of Public Health and Environmental Sustainability, IW Infrastructure capacity requirements and proposed connections to the Water and Wastewater Infrastructure will be subject to the constraints of the IW Capital Investment Programme.

Reason: In the interests of public health

36. There appears to be a 300m water main running through the Northwest corner of the site. The existing watermain should be located and marked on the ground before any works commences on site. A drawing shall be submitted showing the location of the existing water main with meters, valves and other fittings, also showing any existing wayleave over the main shall be submitted to Cork City Council Water Department before work commences. If a wayleave is required, the following condition shall apply.
A wayleave over the existing 300mm watermain shall be ceded by the developer to Irish Water. No structure shall be constructed within minimum distance as set out by the IW Code of Practice for Water Infrastructure. No planting to be carried out in the wayleave area. The applicant shall be responsible for the protection of the watermain during the works.

Reason: In the interests of public health

37. Drawing to be submitted at connection application stage following discussion with the City Council water staff, on behalf of Irish Water, to show a distribution network associated with this development. It should also indicate any existing watermains supplying the site or passing through the site. The drawing should also show the existing supply disconnections associated with this site.

Reason: In the interests of public health

38. The development shall have a metered water supply at the points to the public network. The metering arrangements shall be agreed with Irish Water metering Section prior to commencement.

Reason: In the interests of public health

39. The applicant shall obtain pressure and flow tests on the water network to facilitate the network design and provide to Cork City Council / IW.

Reason: In the interests of public health

40. Other underground services, e.g., telephone lines, E.S.B. cables, gas mains, may be near the proposed mains. The applicant/developer shall make the appropriate inquiries to identify and locate any such services to avoid any possible damage thereto, ensure separation distances, the liability for which would rest with the applicant/developer.

Reason: In the interests of public health

41. All diversions shall be agreed be prior to work commencing on site.

Reason: In the interests of public health

42. It should be noted that IW may, at its discretion, adjust the pressure in its network as it sees fit for operational reasons. The proposed design should consider any future changes that could affect the network pressure, e.g., provision for internal pumping to compensate for any drop in pressure that may occur. A minimum pressure of 15m shall be provided at the curtilage of the site. The water supply to this development may therefore require pressure boosting. This shall be determined by the applicants / owner's consultants and shall be made known to IW at Design Submission and Connection Application stage for review. Refer section 3.13 of the IW Code of Practice for Water Infrastructure.

Reason: In the interests of public health

43. Each apartment shall have an individual 25mm water supply, taken from a manifold chamber. The manifold chamber shall be located on the footpath outside the building as close to property boundary as possible.

Reason: In the interests of public health

44. All work shall comply with IW Connection and Developer Services Standard Details and IW Code of Practice for Water Infrastructure.

Reason: In the interests of public health

45. Any redundant water services shall be traced back to the public main and blanked off at the applicant/developer's expense. This work must be covered by an IW connection agreement.

Reason: In the interests of public health

46. Any existing lead services pipes to the site shall be traced back to the public main and blanked off at the applicant/developer's expense. This work must be covered by an IW connection agreement.

Reason: In the interests of public health

47. Before any branch connection work is carried out the proposed water main must be:
- a. pressured tested.
 - b. disinfected.
- in accordance with Irish Water Standards and the results submitted to IW for approval prior to the connection been made.

Reason: In the interests of public health

48. The bacteriological test results must also be submitted to IW for approval prior to the connection been made.

Reason: In the interests of public health

49. As constructed drawings of the site clearly showing the new, existing, and decommissioned main and fittings etc. with surrounding features shall be submitted to the Water Distribution Section of Cork City Council (Agents to IW) prior to the connection of the development. The drawings shall be in both digital {AutoCAD} and paper format to National Grid Co-ordinates. The records shall be provided to the satisfaction of the Water Distribution Section of Cork City Council.

Reason: In the interests of public health

50. Retention of hedgerows, trees, and vegetation as shown in the Landscape Design Drawings shall be implemented in full, except as may otherwise be required in order to comply with the conditions within this schedule.

Reason: To protect and enhance the conservation of the site.

51. Landscape/Public Open Space/Tree Planting proposals as shown on the Landscape Design Drawings shall be implemented in full, except as may otherwise be required in order to comply with the conditions within this schedule.

Reason: To protect and enhance the conservation of the site.

- 52.
- a) Tree felling and clearing of vegetation shall take place outside of the bird nesting season.
 - b) The developer shall ensure that any excavated material stockpiled on site during construction shall be held in a manner such as to ensure that no silt or run-off from these stockpiles enters any watercourse.
 - c) The developer shall ensure that the riverbanks and their habitats for fish, mammals and birds are not negatively impacted upon by the construction works.
 - d) The Developer shall ensure that surface water from the development is free from herbicides, pesticides, fertilisers and other substances which could have a harmful affect on the environment.

Reason: In the interest of preservation of wildlife

- 53.
- a) Construction waste such as wood, metal, and concrete, shall be segregated and submitted for recycling. Waste Gypsum shall be segregated and delivered to an appropriate facility. Hazardous construction waste such as paint, lubricants, oil, lighting, wood preservative shall be segregated and disposed of at an authorised facility.
 - b) The developer shall ensure that any waste moved off site during site clearance operations or construction works is removed by authorised waste contractors only. The

material shall be taken only to sites authorised by a local authority or the Environmental Protection Agency.

- c) The information provided in the Construction Management Plan and Waste Management Plan is sufficient at present. Prior to the commencement of the development, an updated Construction Management Plan and Waste Management Plan needs to be resubmitted to the Local Authority for agreement when the main contractor has been appointed or when changes have occurred to the previously submitted plans.

Reason: In the interest of orderly management and disposal of waste.

54.

- a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 "Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control."
- b) Prior to commencement of development the developer shall submit to the Planning Authority for written agreement, details outlining how it plans to undertake all piling on site. Please refer to British Standard BS 5228:2009+A1:2014 "Code of practice for noise and vibration control on construction and open sites" Part 2.
- c) Prior to the commencement of the development, the developer shall identify all potentially significant noise sources at the proposed development site, and their expected noise output quantified by (a) reference to LWA levels or LAeq T levels (at a specified distance) provided by the manufacturer/supplier, (b) reference to typical levels set out in the relevant British Standards BS 4142:2014+A1:2019, or (c) direct measurement of the equipment onsite or at a similar facility. Items that need to be considered are extract fans, air-conditioning, and plant room. (This is a non-exhaustive list.)

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

- 55. Prior to commencement of the development, the Developer shall submit to the planning authority for agreement, full up to date details of the waste management proposed for the development. Details shall include proposals on waste reduction, reuse, and segregation, recycling, and vented storage as well as who will manage the waste, dispose of it and present it for collection. The developer shall clearly identify vented bin storage area of appropriate capacity, clearly identifying on the drawing designated location for same with dimensions clearly visible.

The developer should refer to the British standards BS 5906: 2005 in relation to waste management in buildings to ascertain capacity required for development.

Reason: in the interest of orderly management and disposal of waste

56.

- a) Noise during site clearance and construction shall not exceed 65 dB (A), Leq 30minutes and the peak noise shall not exceed 75 dB (A), when measured at any point off site.
- b) Working hours during site clearance and construction shall be restricted to 0800-1800 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority.
- c) Bored piling as opposed to percussive piling shall be used during site clearance and construction.

Reason: In the interests of residential amenity.

57. Noise from the premises shall not exceed the background levels by more than 5dB (A) during the period 0800-2200 and by more than 3 dB (A) at any other time when measured at any external position at a noise sensitive premises. The noise level shall be measured as Leq, 15 minutes.

Reason: In the interest of residential amenity.

58. The Applicant, or any other person with an interest in the land to which this application relates, shall prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, enter into an agreement with the planning authority under Section 96 of the Planning and Development Act, 2000 as amended in respect of the matters referred to paragraphs (a) or (b) of Sub-section (3) of Section 96.

Reason: To comply with the provisions of Section 96 of the Planning and Development Act, 2000 as amended.

59. Before the development is commenced, the developer shall lodge with the planning authority a bond or such other security as may be accepted by the planning authority, in a sum to be determined by Cork City Council to secure the provision and satisfactory completion and maintenance until taken in charge (or completed to taking in charge standard) by Cork City Council of roads, footpaths, open spaces and amenities, car parks, public lighting, surface water drainage systems and communal waste storage required in connection with the proposed development. The bond or security shall provide for the adjustment on a monthly basis, in accordance with the Consumer Price Index of the Central Statistics Office, of the amount of bond as approved by Cork City Council.

Reason: To ensure the satisfactory completion of the development.

60. Prior to the commencement of the proposed development, the developer shall pay or enter into an agreement with the planning authority to pay a financial contribution to Cork City Council 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 subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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