

Chief Executive's Report

25th June 2018

Proposed Variation No.5 (Student Accommodation)
to the Cork City Development Plan 2015-2021

Issues raised during Public Consultation

(under Section 13(4)(b) of the Planning and Development Acts 2000 - 2015)



Comhairle Cathrach Chorcaí
Cork City Council

A Ard Mhéara agus a Comhairleoirí

Introduction

Set out hereunder is the report under Section 13(4)(b) of the Planning & Development Acts 2000 - 2015 in relation to the public consultation on the **Proposed Variation No. 5 (Student Accommodation) to the City Development Plan 2015 - 2021**.

The purpose of the report is to inform Members of the outcome of the public consultation and to make recommendations in response to issues raised. The report is submitted to Members for their consideration.

Background

The **Rebuilding Ireland Action Plan for Housing and Homelessness**, published July 2016 sought to address the complex supply and demand issues in the housing crisis. *In Pillar 4: Improve the Rental Sector*, a commitment was made to provide a **National Student Accommodation Strategy (NSAS)** to address the existing shortfall and projected demand for student accommodation. The purpose of the proposed variation is to update the policy on **Purpose Built Student Accommodation (PBSA)** in the Cork City Development Plan to be in accordance with this new national policy.

Proposed Variation

Cork City Council intends to make a variation to the Cork City Development Plan 2015 - 2021 under Section 13 of the Planning and Development Act, 2004 as amended. The proposed variation relates to the following material amendments to Volume 1 - Written Statement:

- (a) to insert new supporting text to a new 'Objective 6.5 Student Accommodation' to *Chapter 6 Residential Strategy*, and
- (b) to insert new guidance and development management guidance standards to *Chapter 16 Development Management*

Chapter 6 Residential Strategy

Existing Text:

Objective 6.5 Student Accommodation

Any change of use from student accommodation to any other type of accommodation shall require planning permission. Generally such applications shall be resisted unless it can be adequately demonstrated that an over provision of student accommodation exists in the city.

Proposed Text:

Objective 6.5 Student Accommodation

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

Proposed Additional Text for Chapter 6:

Student Accommodation

Section 6.15a

In response to housing supply and demand issues, *Rebuilding Ireland, Action Plan for Housing and Homelessness* was published, July 2016. Pillar 4: *Improve the Rental Sector*, made a commitment to provide national policy to address student housing supply and demand issues. The *National Student Accommodation Strategy* was published in July 2017 to inform national policy on increasing the supply of student accommodation. Key targets include a national increase of 7,000 additional Purpose Built Student Accommodation bed spaces by 2019 and a further increase of 21,000 bed spaces by 2024.

There has been a consistent national growth of student population with a projected national increased demand for Student Accommodation until at least 2024. The student population both nationally and in Cork has significantly increased growing from a full time student population of 19,589 in 2006 to 24,750 in 2016 (an increase of 26%). There is currently an undersupply of purpose built student accommodation in the city. The main source of student accommodation in the city is from the private rental sector in housing stock that has become over concentrated in certain areas. The student housing supply model must follow national policy and enable purpose built student accommodation to become a larger supply source for this specialised housing need in Cork Student rental market.

Chapter 16 Development Management

Existing Text:

Student Accommodation

16.68 Given the growth in recent years of the numbers of third level students together with the planned expansion of the city's major educational/facilities, there is a demand for specific residential accommodation to cater for this need. Chapter 6: Residential Strategy outlines the City Council's policy on student housing. When dealing with planning applications for such developments a number of criteria will be taken into account including:

- The location and accessibility to educational facilities and the proximity to existing or planned public transport corridors and cycle routes;
- The potential impact on local residential amenities;
- Adequate amenity areas and open space;
- The level and quality of on-site facilities, including storage facilities, waste management, bicycle facilities, leisure facilities (including shop/café uses), car parking and amenity;
- The architectural quality of the design and also the external layout, with respect to materials, scale, height and relationship to adjacent structures. Internal layouts should take cognisance of the need for flexibility for future possible changes of uses;
- In all schemes the applicants will be required to provide written documentary confirmation for a 'Qualifying Lease' as defined in the Guidelines on Residential Developments for third level students published by the Department of Education and Science in May 1999, to prove that the accommodation is let to students within the academic year.

16.69 As per Objective 6.5 in Chapter 6, all permissions for student housing shall have a condition attached requiring planning permission for change of use from student accommodation to other type of accommodation. Future applications for this type of change of use will be resisted except where it is demonstrated that over-provision of student accommodation exists in the city.

Proposed Text:

Student Accommodation

16.68 The City Council will support the provision of high quality and managed, purpose built student accommodation, on campus, in areas in close proximity to Third Level Institutes and in locations within easy access of public transport corridors and cycle routes serving Third Level Institutes.

Chapter 6 Residential Strategy outlines the City Council’s policy on student accommodation, referring to the national policy set out in the *National Student Accommodation Strategy*.

When assessing planning applications for such developments, the criteria that will be taken into account include:

- The location and accessibility to Third Level Educational facilities and the proximity to existing or planned public transport corridors and cycle routes;
- The scale of development (capacity) and the potential impact on local residential amenities;
- The provision of amenity areas and open space, (quality and quantity);
- The provision of on-site facilities, including storage facilities, waste management, bicycle facilities, leisure facilities, (retail /café uses), car parking and amenity, (quality and quantity);
- The architectural quality of the design having regarding to its context, including scale, height, massing, on-site layout and materials. The internal design and layout should be robust and capable of future adaptation and change of use.
- Include a Management Plan demonstrating how the scheme will be professionally managed and operated ‘year round’ (term-time and out -of-term periods).
- Demonstrate how the scheme positively integrates with receiving environmental and the local community and creates a positive and safe living environment for students.
- Demonstrate adherence to the Minimum Standards for Purpose Built Student Accommodation as outlined in Table 16a below.

16.69 Student accommodation developments shall only be used for accommodation for students of a tertiary / higher education institute, including residential accommodation that is used as tourist or visitor accommodation only outside of academic term times. Such developments shall not be used as permanent residential accommodation or (subject to the above) as a hotel, hostel, apart-hotel or similar use.

Proposed Table:

Table 16.5a Minimum Standards for Purpose Built Student Accommodation

Description of Development	Minimum Standard (Gross Floor Area)
Shared Unit/house: Minimum 3-bed up to Maximum 8-bed occupancy	55 sq. m.

Single/Double occupancy (self-contained)	
studio unit with ensuite bathroom and kitchenette/cooking facilities	25 sq. m. (min) 35 sq. m. (max)
Campus located townhouse / own-door SA	max of 12 bed spaces per townhouse
Shared kitchen/ living/ dining rooms	4 sq. m. per bed space
Single Study Room	8 sq. m.
(with en-suite shower, toilet and basin)	(12 sq. m)
Twin Study Room	15 sq. m.
(with en-suite shower, toilet and basin)	(18 sq. m.)
Single disabled study bedroom, with en-suite disabled shower, toilet and basin	15 sq. m.
Bathrooms	Either en-suite with study bedrooms/ studio units or to serve a maximum of 3 bed spaces
Car Parking	As per Table 16.8
Cycle Parking Standards	As per Table 16.9
Communal private open Space	5-7 sq. m. per bed space

Environmental Screening

The Strategic Environmental Assessment (SEA) screening report (which concluded that a neutral strategic impact on the environment is likely) was referred to the Environmental Protection Agency, (EPA). In letter, dated 30th April 2018, the EPA responded with no adverse comments.

The Flood Risk Assessment concludes that there are no flood risk implications on foot of the proposed variation.

The Appropriate Assessment screening report (concluded that there was no potential for significant effects, and no requirement for AA), was referred to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, (National Parks & Wildlife Service). The Council received no reply/ comment in relation to same.

Results of the Public Consultation

Notice of the Proposed Variation was published on Friday 11th May in The Irish Examiner. The public consultation period commenced 11th May and closed for submissions on 8th June 2018.

The City Council received **9 no. submissions** during the consultation period. A Summary of the issues raised and Council responses is set out below. (A more detailed list of issues is set out in Appendix A)

It is important to note that a number of submissions received highlighted a range of issues beyond the scope/ remit of the proposed variation such as parking permits, enforcement of unauthorised development works within Architectural Conservation Areas (ACAs), litter management, accommodation standards and over-crowding, the control of fast food outlets, betting offices and off-licenses in the vicinity of student accommodation, public transport operations. The Director of Services intends to prepare a follow-up report for September/ October to address these issues and investigate appropriate course of actions with the respective Directorates.

Submission of the Department of Housing, Planning and Local Government

The DHPLG acknowledged receipt of the public notice, but made no comment relating to the content of the proposed variation, (email dated 6th June 2018).

Summary of Issues raised & responses:

Submissions No.'s	Issue Raised	Response
5	SWRPG The proposal is consistent with the South West Regional Planning Guidelines 2020 - 2022.	Noted.
1, 3, 5, 6	Residential Amenity Protect residential amenities of existing neighbourhoods. Respect the existing character and pattern of development of the areas, (including height and	Protection of residential amenity is a major policy consideration of the City Development Plan and is highlighted in the text of the proposed variation, (Paragraph 16.68). The objective of the variation is to

	scale).	increase the supply of PBSA and to reduce demand on dwelling houses. The current over-reliance on dwelling houses results in the detrimental impacts as outlined in the submission.
1, 5	<p>Built Heritage</p> <p>Important to have objectives and initiatives to support the renewal of existing building fabric in the city.</p> <p>Appropriate enforcement action be undertaken in relation to unauthorised development works in Architectural Conservation Areas, to protect existing road frontage boundaries and gardens.</p>	<p>Chapter 9 Built Heritage and Archaeology sets out the Councils strategy to protect and conserve the built fabric of the City through mechanisms such as the Record Of Protected Structures and Architectural Conservation Areas. Enforcement procedures are set out in the Planning & Development Act and Regulations.</p> <p>Planning permission is required to remove railings and convert from gardens to parking areas, as per the Planning and Development Act and Regulations. Planning Enforcement is the appropriate route to address unauthorised development.</p>
1, 5, 6	<p>Substandard Student Conditions Should address overcrowding of existing house shares.</p> <p>Important to improve the quality of existing buildings for students and other housing options.</p> <p>Fails to address substandard student accommodation.</p> <p>Maximum occupancy standards should be set.</p>	<p>The purpose of the proposed variation is to promote the growing trend of PBSA and in so doing, raise the standards of accommodation. Standards are addressed more specifically in the proposed text to Chapter 16 which includes a new suite of development management standards.</p>
1	<p>Planning Permission should be required to change use of a dwelling to a multiple occupancy unit.</p>	<p>As per the Planning and Development Act and the Regulations, this does not constitute 'development' and as such Permission is not required. The proposed variation cannot address this issue.</p>
1	<p>Student Accommodation Register & Disputes Agency</p> <p>CCC should develop a Register of rented student accommodation, and licensing of landlords to include number of bedspaces, Residential Tenancies Board Compliance, etc.</p>	<p>Occupancy levels of dwellings would be difficult to monitor due to numbers of units and short term nature of lettings. Registration of all tenancies and disputes between tenants and landlords is the responsibility of the Residential Tenancies Board.</p>

1	A Residential Impact Statement should be included in all planning applications for PBSA.	Assessing potential impacts of proposed developments is a major consideration of planning applications. This is considered in Paragraph 16.68 of the proposed variation.
1, 3, 6	Public Realm Improvements Public Realm Improvement should form part of the Student Accommodation Strategy. Existing footpaths and public areas and public lighting and traffic calming measures. Development levies should be ring-fenced for this purpose.	This is a major consideration in planning applications and is noted as a planning consideration in Paragraph 16.68 of the Proposed Variation. The proposal to ring fence development levies is not a matter for the variation.
1, 3, 4, 7	Management Planning conditions for the management/ supervision of PBSA complexes (at operational stage, post construction) should include controls for waste management, maintenance of the buildings' exterior, upkeep of amenity spaces, parking and entrances, security measures, noise control & code of conduct.	Full details of a PBSA Management Plan will be required upon the submission of a planning application for PBSA. This is addressed in Paragraph 16.68 of the proposed variation.
4	Use of PBSA All year use (term time and out of term) of PBSA should be controlled/managed by way of condition.	Occupation of PBSA outside of the academic year will be control by conditions, as per Paragraph 16.69 of the proposed variation.
1, 3, 4, 5, 6	Parking Provision of car parking should be heavily restricted from PBSA schemes. Students should be restricted or precluded from residential parking permit schemes. Unauthorised parking should be enforced.	The proposed variation set out car parking standards for PBSA in Table 16.8 of the Plan as follows: Zone 1 (City Centre) - No parking Zone 2 (Along Public Transport Corridors, existing/ planned) @ 1 per 20 bed spaces Zone 3 (Rest of City) @ 1 per 10 bed spaces Zones reflect a reduced need for parking in the city centre due to the concentration of public transport services. The variation cannot address residential parking permits, nor traffic warden duties i.e. enforcement.

3, 4, 6	Promote public transport, walking and cycling	The promotion of sustainable transport modes is a Strategic Goal of the City Development Plan and is set out in detail in Chapter 5 - Transportation of the Plan
3,4, 7	Public Transport PBSA should only be provided in the vicinity of existing transport hubs or where improvement will be delivered in the short term. If this is not possible, parking demand from the development and the management of same, should be clarified, to prevent future occupants using dedicate spaces of others.	Proposed policy objective 6.5 supports PBSA on campus, in areas in close proximity to third level institutions and in locations within easy access of public transport corridors and cycle routes. The policy ensures that PBSAs are accessible to public transport routes. Unauthorised use of adjacent third party private lands (for parking etc) is a matter for the respective property owners/ retailer and the vehicle owner and is outside the scope of control of this variation.
1, 3, 6	Litter There is a litter problem in the Magazine Road area. A street litter management plan should be put in place.	The proposed variation addresses a city-wide land-use issue. Litter enforcement comes under the remit of the Offences under the Litter Pollution Act 1997. Development of a Litter Management Plan is a matter for consideration within the Environment & Recreation Directorate.
4	Define PBSA Need a precise definition of Purpose Built Student Accommodation (PBSA).	The proposed variation refers to any typology of residential unit (apartment or townhouse) which has the specific intended use for student accommodation.
4	Requirements for Planning Applications. PBSA Applications should include full planning history of the site and map all PBSA within 1km zone of site. A ratio of number of students to residents within 1km zone.	A planning history of the subject site and locality forms part of assessment of all applications. There is an absence of data around the exact numbers of existing student housing stock used for student accommodation in these areas so the ratio cannot be identified at this time. With time, the database of existing/ permitted PBSA will expand.
4	Public Transport Public and private transport	This issue involving third parties cannot be directly addressed in this variation,

	operators should become more actively involved in supporting transport links between PBSA and the colleges.	but may be examined at application stage of transportation is considered a valid issue.
4	Local Retail Services There should be adequate range of local services in the proximity of PBSA to serve all the community, not a proliferation of fast food, betting offices and off-licenses.	Specific land use issues relating to local and neighbourhood centres are set out in Chapter 15 of the Plan, where it is policy to protect and/or improve the retail function of these centres. The issue cannot be addressed by the proposed variation.
3	Local Area Plan Request that a Local Area Plan is prepared for the UCC area to preserve residential amenities.	An LAP is not an appropriate tool to address this particular issue.
3, 4	Preferred Locations To identify and map preferred locations. And to identify more dispersed locations, (from Docklands to CIT) and less concentrated at campuses.	A site specific policy is considered too prescriptive and inflexible to adapt. A policy of dispersing location across the city is supported by the text of the proposed variation in area on or close to college camps, in areas of close proximity to 3 rd level institutions and within easy access of public transport corridor.

The issues raised in the submissions are duly noted and were considered in the early assessment stage of the proposed variation. It is considered that the scope of the variation and the proposed policy will support the development of Purpose Built Student Accommodation in the city, while also protecting the amenities of existing residential communities. It is therefore concluded that no revisions are required in relation to the proposed variation.

Next steps

Council Members are requested to consider this report and having regard to the proper planning and sustainable development of the area, the Members may by resolution make the variation with or without modification or they may refuse to make it, not later than six weeks after this report has been furnished to Members.

Chief Executive's Recommendation

I ask the Members to consider the report and to recommend to Council to formally make the Variation to the Cork City Development Plan 2015-2021, by means of the following resolution.

“Having regard to the proper planning and sustainable development of the area, the statutory obligations of Cork City Council as local authority and any relevant policies and objectives of the Government or Ministers of the Government, it is hereby RESOLVED to make Variation No.5 to the Cork City Development Plan 2015-2021 under Section 13 (6) (a) of the Planning and Development Act 2000 (as amended).”

Ann Doherty

The Chief Executive of Cork City Council

Appendix A

No.	Name.	Issues.
1	Magazine Road and Surrounding Areas Residents' Associations	<p>Policy should include the requirement of planning permission to change use as a dwelling to multiple-occupancy. Impose maximum occupancy limits. Refers to recently permitted development at O’Riordan’s Joinery, Bandon Road with 8 persons per unit, and considers it excessive.</p> <p>CCC should create a Student Accommodation Houses/Complexes Register: data to include no. of bedspaces, Residential Tenancies Board (RTB) compliance, contact details of landlords etc CCC should introduce a Licensing system for landlords.</p> <p>PBSA Applications should include Residential Impact Statement.</p> <p>Appropriate enforcement required development works carried out within Architectural Conservation Areas, i.e. railings, boundary walls, off-street parking</p> <p>Provision of public space/ amenity space should be increased for high density schemes.</p> <p>Strategy should seek to improve the public realm.</p> <p>Impose conditions for the management of PBSAs such as controls for waste management, managements of exterior, upkeep of amenity spaces, security measures and noise control.</p> <p>Policy should restrict /exclude residential parking permits for students.</p> <p>Illegal parking should be enforced.</p> <p>Traffic Calming measures should be utilised.</p> <p>A Street Litter Management Plan should be put in place.</p>
2	Department of Housing, Planning and Local Government	<p>No comment to make in relation to content of the proposed variation.</p>

<p>3</p>	<p>Jamie Crummie, Fine Gael, Micheal Collins Branch, Bandon Road.</p>	<p>There should be a greater emphasis on supporting the rights and amenities of existing communities. The areas near the third level institutions are low rise residential areas. Impacts of high rise include overlooking from balconies, noise and light disturbances.</p> <p>PBSA entrances should be managed/ supervised at all times to address anti-social behaviour.</p> <p>Request a Local Area Plan to preserve the residential amenities of the area adjoining UCC.</p> <p>Variation does not address problem of students renting sub-standard accommodation. CCC to do more in relation to litter management, building control, planning enforcement and inspection of properties.</p> <p>CCC should ensure that all properties are registered with the RTB.</p> <p>Parking supply is an issue and should be limited. Residents of PBSA should be encouraged to use public transport, walk or cycle.</p> <p>It is not reasonable to have all students living within 1-2km of UCC. Supply should be spread across the city.</p>
<p>4</p>	<p>Cllr. John Buttimer</p>	<p>Need to define 'Purpose Built Student Accommodation.' Different types are being proposed from apartment type complexes to own door houses.</p> <p>High quality PSBA is welcome other forms of residential development is required, i.e. apartments and housing.</p> <p>Planning applications should include full planning history of the site and include a map of all PBSA within a 1km zone of proposal, to assess ratio of of students to permanent residents.</p> <p>Identify specific sites for PBSA on a more dispersed east-west corridor from Docklands to CIT.</p> <p>Invite public and private transport operators to become involved in transport links between PBSA and third level education facilities.</p> <p>A Code of Conduct should be introduced for the Management of PBSAs, to include consultation with student representative bodies, management companies, Gardai, local Councillors and local residents'</p>

		<p>groups.</p> <p>All year use of PBSAs as student accommodation should be conditioned as part of grant of permission, to prevent short term lets and associated problems/ issues.</p> <p>In areas adjacent to PBSA, there should be adequate local services to serve all of the community.</p> <p>Council should address with partner agencies, the detrimental issues resulting from house shares in particular those with large extensions.</p> <p>Review the parking permit system in areas adjacent to third level facilities. Permits should not be issued to occupants of PBSA or student housing.</p>
5	Southern Regional Assembly	<p>The proposal is consistent with the Regional Objectives of the South West Regional Planning Guidelines 2020 - 2022, including the Regional Settlement Strategy Objective RSS-02; and Social Inclusion and Regeneration Objective REAS-10.</p> <p>Residential amenity of existing neighbourhoods should be safeguarded. Objectives and initiatives for the renewal of existing building fabric in the city is supported to improve the quality of existing buildings for students and other housing options.</p>
6	Bishopstown Community Association	<p>Variation fails to address the issues/ impacts on the residential community of the area; and the poor, substandard student accommodation.</p> <p>Scale, height and density of PBSA should match that of the existing environment; guidelines required.</p> <p>Accesses should be limited in number and supervised. Public lighting and public realm is important.</p> <p>PBSAs require management plans. Need to manage the level of provision of pubs, off-licences and fast-food outlets</p> <p>Students should be encouraged to use public transport, and explore park & ride options.</p> <p>Development levies from PBSAs should be ring-fenced as a social dividend to improve local road</p>

		<p>network, road resurfacing, traffic calming, better public lighting, recreational amenities, CCTV.</p> <p>Council need to enforce environmental standards and quality of student housing; maintenance of gardens, litter and protect fabric of these houses, to address overcrowding and sub-division of properties.</p>
7	GVA Planning Consultants on behalf of Tesco Ireland Ltd	<p>Student accommodation should only be provided in the vicinity of an existing or planned transport infrastructure; or the following should be required:</p> <p>Applications for PBSA should clarify how demand for parking will be managed and highlight how they will prevent the future occupants using parking spaces dedicated for other uses.</p> <p>Attach condition requiring that adequate parking is provided and that the developer may be required to provide this in the future, should traffic issues arise after the occupation of the student accommodation.</p> <p>Tesco recognises the importance of adequate provision of parking facilities and highlights the potential of students using Tesco's customer parking facilities. Impacts on convenience retailers as above should form part of impact assessment of proposed PBSA developments.</p>
8	Environmental Protection Agency	<p>Report noted the determination of Cork City Council that after screening, a Strategic Environmental Assessment is not required; and advised of the necessary regulatory steps required if the proposed variation is modified (as per S.I. No. 436 of 2004).</p>
9	Cork County Council	<p>No comment to make in relation to content of the proposed variation.</p>



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