



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-306131-19

Strategic Housing Development	237 no. residential units (183 no. houses, 54 no. apartments), childcare facility and associated site works
Location	Cluain Ard, Ringmeen, Cobh, Co. Cork
Planning Authority	Cork County Council
Applicant	1 Ashgrove Land Ltd.
Prescribed Bodies	Irish Water; Transport Infrastructure Ireland
Observer(s)	See appendix A
Date of Site Inspection	Friday 13 th March

Inspector

Una O'Neill

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. Site Location and Description

2.0 Site Location and Description

- 2.1. The subject site (7.8 ha gross in area) is located within the development boundary of Cobh, to the south of Great Island, approx. 25km south of Cork City. The application site is situated 1.5km north of Cobh town centre, at the edge of the existing suburban area of the town. Immediately south and southeast of the site are existing residential developments. To the east, on the opposite side of the existing Ash Grove Road is a residential development currently under construction. To the north there are a limited number of detached residential properties and the character is primarily rural. The junction of Tay Road and the R624 Cobh Road, located approx. 1.8km west and separate from the site, is also within the red-line site boundary of the application site, as works are proposed at that location.
- 2.2. The site is bounded to the east by Ash Grove Road/L-2994-0, which runs from Cobh Town Centre, past the application site and terminates at a t-junction with the Tay Road to the north. There is an existing agricultural entrance to the site from Ash Grove Road. Where Ash Grove Road heads north to Tay Road at the northeast corner of the site, it also separates to skirt around the northern boundary of the site, where it is identified as the L-7015-0. This road which connects north on a parallel road to a second t-junction with Tay Road. The site is also accessible from the south via the Cluain Ard residential development, with the immediately adjoining areas called Chesnut Drive and Beechwood Grove. There is a local neighbourhood centre approx. 470m from the southern boundary of the site, to the southwest of Cluain Ard at Newtown, comprising a petrol station, eurospar, café, chemist, hairdresser and Chinese restaurant. Larger scale retail services (including supervalu, lidl, aldi, pets plus) are located approx. 2km east of the site at Ticknock, accessible from the north via Tay Road or south via Park Road/Hilltop Park.
- 2.3. The application site originally formed part of the permission relating to the Cluain Ard housing development to the south, however, the application site was never

constructed on. There is a linear row of detached dwellings constructed on serviced sites as part of the previous permission along a section of the southeastern boundary, with a parallel road to the L-2994-0 serving these sites.

- 2.4. The site comprises one large field with hedge banks/hedgerows along the boundaries to the west, east and north. At boundaries with existing development to the south and southeast, boundaries comprise block walls, with these walls particularly high to the southeast given difference in levels. Some site works took place on the site as part of the previous permission with a large mound of spoil on part of the site. The site is largely cleared of vegetation, with the exception of a small line of trees to the southeast. The site slopes from a high point to the southwest to a low point to the northeast, with the greatest level change across the middle of the site, where the slope is greatest.

3.0 Proposed Strategic Housing Development

- 3.1. The proposal, as per the submitted public notices, comprises a strategic housing development of 237 no. residential units, comprising 183 no. houses and 54no. apartments/duplexes. The proposed development will also consist of a crèche, all associated ancillary site development and landscaping works, to include diversion of power lines, bin stores, bicycle and car parking, ground works and retaining structures, foul drainage, stormwater drainage, water supply, service ducting and cabling, public lighting, and all boundary treatments.
- 3.2. The proposed development is to be accessed via the existing Cluain Ard estate to the south, as well as existing and proposed accesses off the public road to the east and north of the proposed development site. Upgrades are also proposed to the L-2994-0 and the L-7015-0, including road widening and shared footpath/cyclepath connections. The proposed development provides for future pedestrian/cyclist connectivity to undeveloped lands to the west. The proposed development will also consist of the signalisation of the Tay Road/R624 Cobh Road (Coast Road) junction.
- 3.3. An Appropriate Assessment Screening report has been submitted with the application.
- 3.4. The following tables set out some of the key elements of the proposed scheme as identified by the applicant:

Key Figures:

Site Area Net	6.75 ha net [excluding public roads to north and west and within Cluain Ard estate to the south and southwest].
No. of Residential Units	237 dwellings (183 houses and 54 apartments/duplexes)
Density	35 units per hectare
Childcare Facility	296 sqm crèche to cater for 40 children.
Public Open Space	13.5% of the site area)
Height	Two to three storeys
Part V	23 units

Unit Mix:

	1 bed	2 bed	3 bed	4 bed	Total
Apartments/Duplexes	12	42			54
Houses		49	133	1	183
					237
As % of total	5.1%	38.4%	56%	0.4%	100%

Parking Provision:

Car Parking	<p>406 car parking spaces, plus 9 parking spaces for the crèche.</p> <ul style="list-style-type: none"> • Crèche requirement is 1 space per 3 staff and 1 space per 10 children. 9 car parking spaces are proposed. • 2 parking spaces per 3 and 4 bed houses; 1.5 spaces per 2 bed houses; 1 space per apartment/duplex unit, with some additional visitor parking.
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- 3.5. In terms of site services, a new water connection to the public mains is proposed, together with a new connection to the public sewer. An Irish Water Pre-Connection Enquiry in relation to water and wastewater connections was submitted with the application, as required. It states that subject to a valid connection agreement being put in place and conditions listed, the proposed wastewater connection to the Irish Water network can be facilitated.
- 3.6. The application is accompanied a number of reports and documentation, including inter alia a Planning Statement of Consistency, Statement of Response ABP's Consultation Opinion, Design Statement, Building Lifecycle Report, Housing Quality Assessment, DMURS Statement of Compliance, Traffic and Transport Assessment, Junction Improvement Works, Engineering Report, CEMP, DMURS Schedule of Compliance, Childcare Needs Assessment, School Demand Report, Landscape Design Rationale, Ecological Impact Assessment, and Screening for Appropriate Assessment.

4.0 Planning History

PL04.125893 / 99/4752: Permission GRANTED by ABP on 24th May 2002 for the demolition of a dwelling and outhouses, and the construction of 258 units (202 no. dwelling houses, 22 no. duplex's, 22 no. apartments and 12 no. serviced sites). Not all permitted units were built under application register reference 99/4752 and application register reference 04/6297.

04/6297: Planning permission was sought for the development of 247 units (202 no. dwelling houses, 24 no. apartments, 21 no. serviced sites for dwellings) and associated site development works on 17th August 2004. This application was classed as Phase 2 of development of an overall site. Phase 1 was built under Application Register Reference 99/4752.

Cork County Council state they committed to lay out foul and stormwater sewer along the public road to the east (in place in 2007). Road along eastern boundary

was agreed to be widened to 6m carriageway and 2m footpath, however only part of the development was constructed.

The submitted documentation states that this SHD application site bounds two areas which have been developed - 9 no. serviced sites delivered on the eastern boundary, and the development of 92 no. residential units including semi-detached, terraced, duplex and apartment units located between Willow Drive and Chestnut Drive. Some site development works were carried out in respect of the site, including the laying out of roads, and services infrastructure. The submitted documentation states that of the 235 no. units permitted in Phase 2, 101 no. units were constructed.

SHD Application to the northwest of this site:

ABP-301961-18 – Permission REFUSED for the construction of 311 residential units (146 no. houses, 165 no. duplexes/apartments), a crèche facility, site boundary treatments (including widening of Ballyleary Road within site curtilage) and all other associated ancillary development works at Ballyleary, Great Island, Cobh, Co. Cork.

5.0 Section 5 Pre Application Consultation

5.1. Pre-Application Consultation

5.1.1. A section 5 pre-application consultation with the applicants and the planning authority took place at the offices of Cork County Council on 11th June 2019 (ref ABP-304364-19) in respect of a proposed development of 222 residential units (171 houses and 51 apartments) and a crèche. The main topics discussed at the meeting were –

1. Development strategy to include density and layout and consideration of the 12 criteria in the Urban Design Manual
2. Urban Design response to include use of materials and creation of distinct character areas
3. Connectivity and permeability to include upgrade to local roads as set out in Planning Authority's opinion

4. Any other Matters

Copies of the record of the meeting, the Inspector's Report, and the Opinion are all available for reference on this file.

5.2. Notification of Opinion

5.2.1. An Bord Pleanála issued a notification that it was of the opinion that the documents submitted with the request to enter into consultations required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development, which should have regard to the following issues:

1. **Layout and Density:** Further consideration of documents as they relate to the layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities, and the Design Manual for Urban Roads and Streets. The matters of configuration of the layout, design and alignment of roads including drop-offs for the crèche. Further consideration how the proposal will contribute to the creation of an urban streetscape along Ash Grove Road should be considered particularly in the context of road and footpath improvements required by the planning authority at this location. Consideration should also be given to how the net site density is calculated ... and justification for exclusion of particular areas should be provided in the documentation with any such areas clearly identified on the site layout plan.
2. **Traffic and Transportation:** Further consideration of the documents as they relate to the delivery and timing of road infrastructure upgrades and/or provisions for future connections in particular objectives CH-R-03 and CH-U-03. Regard should be given to Table 3.2.3 Phased Development Programme for Ballynoe Urban Expansion Area and strategic infrastructure and service requirements in so far as they apply to the site. The Specific and General Development Objectives for Cobh in so far as they relate to the site should also be considered in this context. Documentation should be clear as to the full extent of works proposed to be delivered by the prospective applicant and phasing details including time-frames for the delivery of such works.

3. Public Open Space: ...public open space provision particularly in the context of the disposition, usability and qualitative nature of these spaces. Passive surveillance to these areas should also be considered in this context.

The opinion notification pursuant to article 285(5)(b) also referred to specific information that should be submitted with any application which can be summarised as follows –

1. Photomontages and cross sections at appropriate intervals for the proposed development including how the development will interface with contiguous lands and adjoining public roads.
2. All existing watercourses and utilities that may traverse the site including any proposal to culvert/re-route/underground existing drains/utilities should be clearly identified on a site layout plan.
3. A site layout plan which clearly identifies the full extent of areas to be taken in charge. Relevant consents to carry out works on lands that are not included within the red-line boundary. The prospective applicant is advised that all works should as far as possible be included within the red-line boundary.
4. Landscaping details to include layout plan which identifies existing trees/hedgerows to be retained and details of tree protection measures during the construction period.
5. Additional details to address matters raised in the planning authority's opinion dated 27th May 2019 in particular the Water Services and Environmental Departments comments.
6. A statement setting out how the proposed layout is consistent with the principles of Design Manual for Urban Roads and Streets.
7. An Appropriate Assessment screening report and/or Natura Impact Statement if considered necessary, which should consider inter alia the issue of surface water run-off and in-combination effects of relevant Natura 2000 sites in particular Cork Harbour SPA.

5.3. Applicant's Statement

5.3.1. A statement of response to the Pre-Application Consultation Opinion, as issued by the Board, was submitted with the application, as provided for under section 8(1)(iv) of the Act of 2016, which is briefly summarised as follows:

Item 1: Layout and Density

- The applicant has set out in table form a response to the 12 criteria set out in the Urban Design Manual.
- Internal street network is DMURS compliant and the submitted engineering report discusses street hierarchy and widths, shared surfaces and materials/finish variation, maximum gradients, corner radii, visibility splays, pedestrian crossing points, carriageway widths, and corner radii on the adjoining roads.
- Access arrangements have been modified, to allow for more appropriate drop-off and access/egress movements. 9 no. car parking spaces are provided to cater for the crèche.
- In relation to Ashgrove Road, 3 no. entrances have been created allowing access from this road. Units have also been orientated to face the road and the properties adjacent, to provide an urban streetscape as required by the Board. The originally proposed internal 'parallel road' along Ashgrove Road has been removed.
- To increase permeability within the site, there are now 7no. access points into the site. There is a central pedestrian/cycle spine running north to south through the proposed development site, connecting the new development with the existing adjacent development, as well as pedestrian and cycle connections from the access points on the eastern boundary. The proposed layout makes provision for future pedestrian and cycle connections to the residentially zoned lands to the west.
- The net developable area has been modified to include wayleaves on site as well as the proposed crèche. On this basis, the net developable area has been increased to 6.75 ha (it excludes the public road and associated shared footpath/cycleway, which equates to 1.05ha overall). Consequently, the number of units provided on the subject site has been increased from 222no.

units as originally proposed to 237 no. units as currently proposed, in order to achieve a density of 35.1 units per hectare in line with national planning policy.

- The proposed layout as submitted for the Section 5 pre-application consultation, has been modified in line with the Board's opinion to: Provide a density of 35.1 units/ha; Provide more access points along the northern, southern and eastern boundary; Provide an urban layout, with a more defined edge along the public roads, removing the internal parallel road along the eastern boundary; Define internal streetscapes, and a hierarchy of main access roads, neighbourhood links and local access routes, including home zone areas and shared surfaces, while also avoiding cul-de-sacs as far as possible; Create a sense of place, with three distinct character areas that are defined by a change in density, scale, house type and elevational treatment; Reduce the number of car parking spaces, introducing shared parking areas; Provide more defined public open space areas that are connected via the pedestrian/cycle link that spans the length of the site, with pedestrian/cycle connections to the residentially zoned lands to the west.
- Section 4.2 of the Design Statement prepared by Deady Gahan sets out the proposed materials for each of the proposed Character Areas.

Item 2: Traffic and Transportation

- In compliance with objectives CH-U-04 and CH-U-03 of the LAP, the applicant proposes to build out to the near side of the existing public road edge on the northern (L-7015-0) and eastern (L-2994-0) boundaries of the proposed development site. This includes the near side, 3.0m wide shared pedestrian/cycle path, and any making good on the development side of the existing roadway, which will tie in with the level of the existing roadway. This will facilitate the delivery by the Council in the future of a full 12m wide corridor along the northern and eastern site boundaries.
- The applicant has included the signalisation of the Ballynoe Road/R624 Cobh Road (Coast Road) junction in the red line boundary of the proposed development. As agreed with Cork County Council, the prospective applicant proposes to carry out these works in full prior to the first occupation of the proposed development.

- As has also been agreed with Cork County Council, the applicant will also make a special development contribution to the upgrade of the L-7015-0/L-2993-0 (Tay Road) junction. This upgrade will provide 3m x 90m sight lines. Cork County Council will carry out these works within 18 months of commencement of the proposed development.
- Consistent with the CH-R-03 zoning objective, the proposed development provides pedestrian/cyclist connections to the Council owned lands to the west.
- Insofar as Table 3.2.3 of the LAP applies to the proposed development site, we can state that:
 - Irish Water's upgraded waste water treatment infrastructure is in construction, to be completed by the end of 2020. The proposed development will connect to this infrastructure;
 - The local roads - L-7015-0 and L-2994-0 – will be upgraded within the boundary of the proposed development site;
 - The applicant will undertake the signalisation of the Ballynoe Road/R624 Cobh Road junction; and
 - The applicant will also make a special development contribution to the upgrade of the L-7015-0/L-2993-0 (Tay Road) junction.

In this regard, the proposed development will make a significant contribution to the improvement of local infrastructure, for the benefit of existing and future residents, and that will assist in bringing forward the Ballynoe Expansion Area, in line with the Phased Development Programme set out in Table 3.2.3 of the LAP.

- In relation to the General Objectives for Cobh, the proposed development:
 - Will contribute to the target of 1,571no. new dwellings in Cobh environs, consistent with General Objective CH-GO-01;
 - Will connect to public infrastructure, in accordance with General Objective CH-GO-02;

- Is compatible with the requirements of the Habitats Directive and the protection of Natura 2000 sites, as is required by General Objective CH-GO-03;
 - Will contribute to the delivery of infrastructure required to bring forward the Ballynoe Expansion Area, in line with the Phased Development Programme set out in Table 3.2.3 of the LAP, in line with General Objective CH-GO-06;
 - Will secure the provision of safe and pleasant pedestrian and cycle connections to the town's services and resources, consistent with General Objectives CH-GO-08 and CH-GO-10;
 - Will retain landscape features as far as possible in line with General Objective CH-GO-12; and
 - Will provide appropriate surface water infrastructure, in line with General Objective CH-GO-13.
- Section 4.1 of the Design Statement prepared by Deady Gahan sets out a proposed phasing strategy for the development. It is proposed to be constructed in 4 different phases, starting from south to complete Cluain Ard and moving forward to north.

Item 3: Public Open Space

- The proposed site layout has evolved around a centralised green infrastructure of open spaces linked to a dedicated main route for pedestrian and cyclist movement through the site. This main route is connected to a series of internal pedestrian and cycle networks. Excellent passive surveillance of the open spaces is provided from surrounding houses, in particular from corner dwellings.
- Open space provision takes into account the topography of the site ensuring that useable spaces are provided at 1:40 gradients for kickabout while also optimising variations in levels as opportunities for informal play and providing seating areas with views. Public open space provision is made up of green spaces, home zones and courtyards. The green spaces incorporate

neighbourhood play areas while the home zones and courtyard provide additional opportunities for year-round play and community engagement.

- Having regard to the Cork County Council Recreation & Amenity Policy (Interim Approach to Implementation) June, 2019, and as illustrated in Figure 10, the proposed development provides:
 - 13.5% useable public open space (refer to 18394-2-201 rev A Landscape Sections, prepared by CSR);
 - Accessible, hard-surfaced 5 no. neighbourhood play areas (100m²) in area throughout the site;
 - 1no. all age multi-use court;
 - 3no. wildflower planting areas;
 - 4no. kickabout grass spaces;
 - 1no. varied typography natural play space;
 - Integrated recreational walking/jogging/cycling trail to enhance connectivity;
 - 3no. Plaza areas for seating
 - 1no. Communal play area
 - 1no. orchard

The specific information required in the Opinion issued to the applicant has been submitted and responded to, as set out in the statement of response submitted.

6.0 Relevant Planning Policy

6.1. Section 28 Ministerial Guidelines

The following list of Section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (2009) and the accompanying Urban Design Manual: A Best Practice Guide (2009)

- Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2018)
- Urban Development and Building Height Guidelines for Planning Authorities (December, 2018)
- Design Manual for Urban Roads and Streets (December 2013)
- Architectural Heritage Protection – Guidelines for Planning Authorities (2011)
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009)

6.2. **Project Ireland 2040 - National Planning Framework**

A number of key policy objectives are noted as follows:

- National Policy Objective 3(a): Deliver at least 40% of all new homes nationally within the built-up footprint of existing settlements.
- National Policy Objective 3(c) Deliver at least 30% of all new homes that are targeted in settlements other than the five cities and their suburbs, within their existing built-up footprint.
- National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- National Policy Objective 27: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

6.3. Regional Policy

The Regional Social and Economic Strategy for the Southern Region (January 2020)

- The RSES provides the framework through which the vision of the NPF will be delivered for the region.
- The RSES sets out Metropolitan Area Strategic Plan (MASP) for Cork.
- Cobh is the third largest Metropolitan Town identified within the MASP for Cork.
- Transport Priorities for the Cork Metropolitan Area: This section includes provision for Upgrade of the R624 Regional Road linking N25 to Marino Point and Cobh and designation to National Road Status; Upgrade existing and new stations on a network serving a listed number of places including Cobh.
- Expansion in UEA area and infrastructure works required.

6.4. Cork County Development Plan 2014-2020

- Chapter 2, Core Strategy.
- Cobh is identified as a Metropolitan town, forming part of the third tier of the hierarchy.
- The role of Metropolitan Towns, as set out in **Table CS 3-1**, is outlined as followed:

Critical population growth, service and employment centres within the Cork “Gateway”, providing high levels of community facilities and amenities with infrastructure capacity high quality and integrated public transport connections should be the location of choice for most people especially those with an urban employment focus.

- **Objective CS 4-1** outlines specific aims for the Metropolitan Cork Strategic Planning Area and **objective CS 4-1 J & N**, relate specifically to the proposed development and are outlined as follows:

CS 4-1 J

Maximise new development, for both jobs and housing, in the Metropolitan Towns served by the Blarney – Midleton/Cobh rail route (including the

proposed new settlement at Monard) and to enhance the capacity of these towns to provide services and facilities to meet the needs of their population

CS 4-1 N

In the Cork Gateway, development to provide the homes and jobs that are necessary to serve the planned population will be prioritised in the following locations, Carrigaline (Shannon Park), Midleton (Waterrock) and Carrigtwohill (North of the Railway), Ballincollig (Maglin), North Environs (Ballyvolane), Glanmire (Dunkettle), Blarney (Stoneview), Monard **and Cobh**. Details of the proposed development will be set out in Master Plan studies and Local Area Plans as appropriate.

- **Objective HOU 4-1.** This objective outlines the density policies for Zoned Land, and relates to Medium A Density development (which applies to this SHD application site) as follows:

Medium A Density (min. 20 – max. 50, units per Ha)

- Applicable in city suburbs, larger towns over 5,000 population and rail corridor locations (example Carrigtwohill).
- Apartment development is permissible where appropriate but there is no requirement to include an apartment element in development proposals.
- Consider a lower standard of public open space provision where larger private gardens are provided.
- Must connect to public water and wastewater services.
- Broad housing mix normally required including detached/serviced sites unless otherwise specified in relevant Local Area Plan.

- **WS 5-1: Surface Water and SuDS**

- a) Ensure that all new developments incorporate sustainable drainage systems (SuDS).
- b) Provide adequate storm water infrastructure in order to accommodate the planned levels of growth expected for the County.

6.4.1. **Cobh Municipal District LAP 2017**

- **Section 3.2 Cobh Environs:** Cobh is identified as a Main Settlement in the Cobh Municipal District while retaining its status as a Metropolitan town in the County Metropolitan Strategic Planning Area in the overall strategy of the Cork County Development Plan 2014.
- Cobh forms part of the Cork Gateway, being a Metropolitan town on the suburban rail corridor.
- **Zoning:** Residential. This SHD site is within the development boundary of Cobh Environs.
- **Section 3.2.36:** This section outlines the existing road infrastructure for the town which provides that the only fixed link to the mainland experiences serious capacity issues at peak times, is poorly aligned in many parts and contends with flooding problems at Belvelly Bridge with road access to the town requiring significant upgrading.
- **Section 3.2.37:** In relation to walking/cycling, the Plan states that there is a need to ensure that any new development provides quality pedestrian and cycle links to the town centre, schools and recreational facilities with a complete lack of cycle facilities noted in the town.
- Provision of a new rail station near the ferry is included in the LAP. The ferry crossing at Carrigaloe is also outlined which it is stated takes 5 minutes to arrive at Glenbrook
- **Section 3.2.90:** General objectives which apply to Cobh. The following general objectives are notable:

CH-GO-01

Taking account of development already completed or under construction, secure the development of 1,571 no. new dwellings in Cobh Environs over the lifetime of the plan in order to facilitate the sustainable growth of the town's population to 14,543 people over the same period.

These will be provided through the development of land for which planning permission has already been granted and by the development of land designated for development in this plan.

CH-GO-02 (b)

All new development shall be connected to the public water supply, the public waste water treatment system and shall make adequate provision for storm water disposal. New development will be contingent, in the interim on the upgrade of the North Cobh Sewerage Scheme, and in the longer term, on the provision of the Lower Harbour Sewerage Scheme.

CH-GO-08

Ensure that provision is made in proposals for new development, particularly for housing, office, retail, industrial and educational uses, to provide safe, convenient and pleasant route linking to the development to the proposed railway station at Ballynoe as well as back to the principal areas of the town for walkers and cyclists.

In achieving this objective, special attention will be paid to the layout of the development to ensure that appropriate measures are taken to establish a walking and cycling friendly environment.

CH-GO-13

Design an integrated approach to surface water management which considers land use, water quality, amenity and habitat enhancements, thereby, replicating the current Greenfield rate of surface water runoff post development to prevent flooding of lands and settlements downstream. A Sustainable Urban Drainage Strategy should be completed for the site prior to development.

- Specific objectives are then outlined for specific parts of the LAP area, as outlined in the Cobh Map. The following relate to this SHD application site:
 - **Specific Objective CH-R-03: Medium A density** residential development to include a mix of house types and sizes. Any layout shall be designed to allow for connectivity with, and in particular pedestrian and cyclist movement between, the masterplan lands to the west.
 - **CH-U-03:** Upgrade Local Road – pedestrian and cycle connectivity to proposed train station.

- **CH-U-04:** Provision of New Link Road – indicative road line on map.

6.5. Applicant's Statement of Consistency

- 6.5.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of section 28 guidelines, the Cork County Development Plan 2014-2020 and the Cobh Municipal District LAP 2017.

7.0 Third Party Submissions

- 7.1. In total 16 submissions were received from third parties. The submissions were primarily made by or on behalf of local residents.
- 7.2. The submissions received may be broadly summarised as follows, with reference made to more pertinent issues within the main assessment:

Density, Design and Layout

- Density has increased over what was originally permitted on this site, green space has reduced and number of parking spaces has reduced.
- House types are too small to cater for local families. More family friendly houses required given the age profile of the area.
- Urban style development shows houses with little or no driveways/gardens, is not in keeping with the surroundings, and would seriously affect the visual and residential amenity of the area.
- 12 criteria in the Urban Design Manual have not been considered.

Impact on Residential Amenity

- Overlooking and overshadowing of existing houses at Ashdale from three storey building proposed to the rear.
- Orientation of houses does not maximise sunlight and minimise overlooking.
- Lack of funding for new schools. GP provision in crisis.
- Concern that proposals are for build to rent accommodation.
- Gradient of site will affect access to sun, views and connectivity.

- Proposed crèche does not take consideration of phase 1 of Cluain Ard. A large crèche and play areas were part of the initial plan, but only houses were provided.
- Lack of footpaths and street lighting.
- Only 5 electric charging point proposed.

Open Space

- Lack of usable green space and play amenities, which will result in anti-social behaviour.

Traffic and Transportation

- Inadequate capacity and condition of existing local roads, namely the L-2994-0 and L-7015-0, which are boreen roads. Two cars cannot pass on sections of these roads.
- Poor condition of both junctions at Tay Road.
- Junctions and Belvelly bridge do not have capacity for increased traffic.
- Previous SHD refusal on nearby lands, where existing road conditions cited as part of the refusal/ABP-301961-18.
- Number of entrances proposed will impact on flow of traffic, create traffic blockages, and potential for collisions.
- Developer does not own land either side of roads to carry out the road widening and does not have the consent of the landowners to develop lands.
- Urban style development shows houses with little or no driveways/gardens which will force people to park on the main road.
- Concern in relation to proposal for signalised junction at Ballynoe Hill/Tay Road/R624 Cobh Road and impact this will have on Cross River Ferry Services. Insufficient detail has been submitted regarding the junction design; the signalisation has not been fully considered in the context of the ferry services, no right turning/filters lanes are proposed and no details of timing of change in traffic lights.
- Cars already queue on the R264 daily while waiting to access the inadequate Cross River Ferry service.
- A roundabout would be preferable to signalisation proposed.

- Proposed junction does not include right turn lanes (ghost islands) to avoid standing vehicles.
- Traffic and transportation report does not provide any evidence that signalisation of the junction will result in relieving traffic congestion.
- Proposal does not include pedestrian/cycle facilities on the Ballynoe/Tay road in line with the Cobh Municipal District LAP.
- There is no transportation study for Cobh and no funding for road infrastructure.
- In-combination impacts with other on going housing developments in Cobh not mentioned.
- All items in phase 1 and 2 of Ballynoe Urban Expansion Plan should be completed prior to commencing any works.
- Proposed footpaths/cyclepaths outside the site don't connect to anywhere. No evidence of connectivity.
- No traffic calming or road safety measures proposed.
- Development should not proceed until correct infrastructure is in place.
- Internal roads inaccessible to fire engines.
- An alternative road access to Great Island from the N25 is critical either alongside the railway line or via a new bridge to the east of Belvelly bridge.
- Precedent for refusal for single dwellings based on traffic.
- Aerial photos are out of date. 170 houses have been built in Cooline Estate, opposite the development.
- Parking proposed at the crèche is insufficient.
- Cluain Ard phase 1 has not been completed as developers went into receivership. Any outstanding works should be completed.
- Unsuitable and unsafe access to ferry and railway station.

Natural Heritage

- Developer is proposed to remove ditch/hedging and reduce existing green area to front of existing houses and serviced sites at Ashdale to provide footpaths.

- Concerns in relation to certainty around the landscaping and its integration with the current surroundings.
- Landscaping regimen should be altered to be more sympathetic to ecological concerns.

Surface Water and Flood Risk

- Drainage from site and roadworks flowing into adjoining properties at lower ground level.
- Flooding of local boreens due to rising springs.

Other Matters

- Public notices went on display over Christmas.
- Applicant has not addressed the issues raised in the ABP SHD refusal in Ballyleary.
- Water pressure is low in the area.
- Need to reconsider zoning of the land until infrastructure can be delivered.
- Current application is premature.
- Proposed development will exacerbate problems with the current infrastructure deficit on the island.

8.0 Planning Authority Submission

8.1. Overview

8.1.1 In compliance with section 8(5)(a) of the 2016 Act, Cork County Council submitted a report of its Chief Executive Officer in relation to the proposal. This was received by An Bord Pleanála on 13th February 2020. The report notes the site description, planning history in the area, policy context, summary of third party submissions, and summary of views of the relevant elected members. The submission includes several technical reports from relevant departments of Cork County Council. The Chief Executive's Report concludes that it supports the application. The CE Report from Cork County Council is summarised hereunder.

8.1.1. Summary of Inter-Departmental Reports

- Traffic and Transportation Report: TTA indicated junction of Tay Road and R624 Cork Road is operating at capacity and will need to be upgraded to a signalised junction in order to cater for additional traffic movements. Costs are included by the applicant's quantity surveyor and appears reasonable and accurate. A condition shall include a condition that a special contribution is charged. The proposed footpaths and roads improvements of the main road serving the site shall be done at the developer's expense.
- Ecologist Report: It is a matter for ABP to complete the detailed screening assessment. Particular consideration to be given to surface water drainage proposals. The submitted Ecological Impact Assessment Report assesses the site to be of low ecological value. It is noted that it is proposed to remove all field and roadside boundaries. Disagree that this impact is low given the species composition and see no reason for their removal. Recommend retention of all hedgerow boundaries and old earthen bank boundaries where possible and that landscape planting would be used to strengthen and enhance these boundaries. Landscape management plan should be revised accordingly.
- Housing/Part V Report: Costings to be agreed.
- Environment Report: Conditions recommended.

8.1.2. Summary of View of Elected Members:

- Roads are very rural.
- Fota road is already congested.
- The ferry is at maximum capacity.
- The wider road network at Cobh Cross and Dunkettle are at capacity.
- The LAP highlights the issue with the Belvelly Bridge.
- Traffic from liners and tourists etc.
- Proposed traffic lights will not help the situation.
- There is no traffic management survey for the Island.
- Internal road widths are not wide enough for on-street parking.

- Number of car parking spaces are inadequate which will lead to on-street parking.
- 9 car parking spaces outside the crèche is not enough.
- Train station connection is 2 miles away. There are no plans in place for a new station.
- Connectivity of the site.
- Pressure for school places in Cobh.
- Lack of green space and gradient of spaces proposed.
- Power lines traversing the site.
- House type and density. Three storey is not appropriate in rural area. Design is more suitable to an urban area.
- Development of the scale and kind proposed is not suitable or appropriate and should be refused.

8.1.3. **Planning Analysis**

Principle of Development:

- Proposal accords with the policies and objectives of the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017.
- Permission was previously granted on this site within the overall Cluain Ard site under planning ref PL04.125893 and 04/6297. While the governing permission has expired, given the unfinished natures of the estate, Cork County Council is supportive of the principle of completing the estate.

Density

- Density objective for 20-50 dph in the Cobh Municipal District (MD) LAP. Connectivity provided for to the lands to the west.
- Density of 35 units per hectare is consistent with the specific policy objective of the LAP. Density is considered acceptable.
- Of the 235 units permitted under 04/6297, a total of 101 were completed. The proposed development will result in a net increase of approx. 103 units.

Recreation and Amenity

- 13.5% open space provided for.
- Topography of the site has been taken into account with usable spaces provided at 1:40 gradients for kickabout while optimising variations in levels.
- Proposal is broadly consistent with Cork Co. Co. Recreation and Amenity Policy.

Integration with Existing Cluain Ard Development

- There are benefits to existing residents from proposal to finish the estate, connectivity throughout the overall site and the provision of a crèche facility.

Housing Mix; Part V

- Mix is acceptable. Part V proposal is acceptable, subject to agreement on costs.

Crèche

- Child care needs assessment has been submitted.
- Having regard to the quantum of houses already within Cluain Ard, the crèche should be provided as part of an earlier phase of development. A condition is recommended that the crèche be constructed and available for occupation prior to the occupation of the 75th housing unit.

Drainage/Surface Water/Wastewater

- IW has provided confirmation of feasibility.

Traffic and Transportation

- Cobh LAP recognises capacity of the road network is a key issue in relation to delivery of future residential development both for the Ballynoe area and the town of Cobh in general.
- Current road network serving Ballynoe is inadequate. There are two access points to Ballynoe from Tay Road, which require significant improvements in order to accommodate this development.
- TTA states junction of Tay Road and R624 is at capacity and will need to be upgraded to a signalised junction. Applicant has submitted a drawing indicating

works required within CCC lands and a cost associated. A condition requiring a special contribution of €65,412.32 (including VAT) is recommended.

- Footpath and road improvements are proposed to the main road serving the site. These should be undertaken to the satisfaction of the local authority at the developer's expense.
- The area engineer recommends the applicant widen and upgrade the L-7015 from the northern corner of the site to the Tay Road L-2993. However, not all the lands are within the applicant's control. The site is not within the Urban Expansion Area (UEA) of Cobh, but within the development boundary of the built up area, therefore these works are not required and are more critical to the UEA. The upgrade of the Tay Road junction is the critical requirement for this development and the developer has addressed this.

Cycle and Pedestrian Connectivity

- Pedestrian and cyclist permeability are prioritised in the proposed layout and there is full permeability between the site and the Cluain Ard development as well as to the lands to the west, once these are developed (as per policy objective CH-H-02).
- The applicant proposes to build out of the near side of the existing public road edge on the northern and eastern boundaries which will provide for a 3m wide shared pedestrian/cycle path and will facilitate the delivery by the Council in the future of a full 12m wide corridor along the northern and eastern boundaries.

Parking Provisions

- Total number of spaces (excluding the crèche) is 406.
- Crèche requirement is 1 space per 3 staff and 1 space per 10 children. 9 car parking spaces are proposed.
- 2 parking spaces are provided for all 3 and 4 bed houses; 1.5 spaces for all 2 bed houses. Provision is made for ducting for electrical vehicles.
- 1 space is provided per apartments/duplex unit with some additional visitor parking.

- The southern portion of the site is within the suburban rail corridor where the supplementary development contribution scheme applies. Having regard to the location, and the guidance in the apartment guidelines, there is scope for reduced parking below the development plan standards.
- Covered bike racks and 5 electric car spaces are spread throughout the site.

Appropriate Assessment/Ecology

- The Board is the competent authority in relation to AA.
- In terms of ecology, consideration should be given to the retention of extant hedgerows and old earthen banks along the boundaries.
- A final CEMP should be submitted prior to the commencement of development.

8.2. Statement in accordance with 8 (3) (B) (II)

8.2.1. The Chief Executive's Report recommends a grant of permission, subject to a number of conditions, including inter alia the following:

- C2: Phasing of crèche.
- C3: Footpath from development to be extended south to the public footpath along the L-2994.
- C10: Details of storm water attenuation to be submitted.
- C13: Developer to construct a pedestrian signalised crossing just south of the proposed entrance on the L-2994 linking the footpath on the eastern to western side.
- C21: Details of all site boundaries to be agreed.
- C45: Development contribution.
- C46: Supplementary development contribution in respect of the Cobh/Midleton-Blarney Suburban Rail Project.
- C47: Special contribution in respect of works to be carried out for the upgrade of the Tay Road and the R624 junction to a signalised.

9.0 Prescribed Bodies

The applicant was required to notify the following prescribed bodies prior to making the application:

1. Irish Water
2. Transport Infrastructure Ireland
3. Minister for Culture, Heritage and the Gaeltacht
4. The Heritage Council
5. An Taisce- the National Trust for Ireland
6. Local Childcare Committee

Two of the bodies have responded and the following is a summary of the points raised.

Irish Water: Based upon details submitted by the developer and the Confirmation of Feasibility issued by Irish Water, Irish Water confirms that subject to a valid connection agreement being put in place between IW and the developer, the proposed connection(s) to the Irish Water network(s) can be facilitated.

TII: No observations.

10.0 Environmental Impact Assessment

10.1.1. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Construction of more than 500 dwelling units
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

10.1.2. EIA is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-

threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

10.1.3. The proposed development of 237 residential units on a 7.8ha site is located on a site in an urban area that is zoned and serviced. It is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001-2017. It is not a large-scale project and there are no apparent characteristics or elements of the design that are likely to cause significant effects on the environment. The site is not designated for the protection of landscape or natural or cultural heritage. The proposed development is not likely to have a significant effect on any Natura 2000 site (as per the findings of section 12 of this assessment).

10.1.4. Having regard to:

(a) the nature and scale of the proposed development, on zoned lands served by public infrastructure,

(b) the absence of any significant environmental sensitivities in the area,

(c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

it is concluded at preliminary examination stage that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination stage and a screening determination is not required, as per the EIA Preliminary Examination form on file, which I concur with.

11.0 **Assessment**

11.1. **Introduction**

11.1.1. I consider the main issues relating to this application are as follows:

- Principle of Development

- Density and Mix
- Layout and Urban Design
- Local Services and Childcare Facility
- Future Residential Amenity
- Impact on Amenity of Neighbouring Properties
- Traffic, Transportation and Access
- Infrastructural Services
- Biodiversity
- Landscape and Visual Impact
- Appropriate Assessment

These matters are considered separately hereunder.

11.2. Principle of Development

- 11.2.1. The site is zoned residential, with specific objective CH-R-O3 applying to the site. CH-R-03 provides for 'Medium A density residential development to include a mix of house types and sizes. Any layout shall be designed to allow for connectivity with, and in particular pedestrian and cyclist movements between, the masterplan lands to the west'.
- 11.2.2. The site is one of a number of sites identified for residential development north of Cobh and is contiguous to an existing housing development, sequentially located in the suburbs of Cobh. The site does not form part of the Ballynoe Urban Expansion Area, which relates to sites to which specific objectives CH-R-09 to CH-R-19 apply. The development of those sites within the UAE are linked to a number of large infrastructural projects which are listed in table 3.2.3 of the LAP.
- 11.2.3. The development of the application lands are not linked to specific infrastructural requirements set out in the LAP for the UEA, however, there are roads objectives adjoining the site. The TTA submitted with this application identifies adjoining road network improvements required and deficiencies in the existing road network which would need to be addressed to cater for the scale of development proposed in this application. The TTA is discussed further in section 11.8 hereunder.

- 11.2.4. The site is a serviced zoned site within the Cork Metropolitan Area and within the development boundary of Cobh Environs, which can connect directly into water supply, foul drainage and suburban roads networks directly. The LAP adopted in 2017 has determined that the application site is the appropriate place for residential development and it is zoned accordingly. The principle of the proposed development on residentially zoned and serviced lands is acceptable and the development is not contrary to any specific objectives of the LAP.
- 11.2.5. A number of submissions contend that the residential development of the site is not appropriate due to the limited capacity of the road network and limited public transport availability. I note third parties site a recent refusal for an SHD application northwest of the site as grounds for refusal of this application as the same roads issues apply. I note this application site is not located in the Ballynoe UEA as per the previous SHD application and each application is addressed on its own merits. Traffic and transportation issues are discussed further in section 11.8 of this report.

11.3. **Density and Housing Mix**

- 11.3.1. The site is located within the boundary of Cobh town, which is a Main Settlement in the Cobh Municipal District and also a Metropolitan town in the County Metropolitan Strategic Planning Area, as per the Cork County Development Plan 2014. Cobh forms part of the 'Cork Gateway', as a Metropolitan town on the suburban rail corridor. The RSES also recognises Cobh's position as a Metropolitan town in the MASP for Cork where growth is proposed.
- 11.3.2. The site originally formed part of a wider application permitted for 247 dwellings (202 houses, 24 apartments and 21 services sites), under planning ref 04/6297, with this site constituting a phase two of development which was largely not constructed. Cluain Ard residential estate, immediately adjoining the southern boundary of this site was developed as phase 1. While the applicant describes the site as brownfield, the Board may equally regard it as greenfield and under national guidance, as set out in the guidelines Sustainable Residential Development in Urban Areas (2009), net densities of between 35 and 50 dph are encouraged and those below 30 dph are discouraged. The specific zoning objective for the site is for Medium A Density Residential Development, whereby 20-50 units per hectare is required.

- 11.3.3. The net developable area is stated to be 6.75 ha, which I consider reasonable and in accordance with national guidance for determining net areas for development. The total numbers of units proposed is 237, therefore the net density is 35 units/ha. The density proposed on this sequentially located zoned site, is appropriate both within the national policy context and is in accordance with the adopted Cork County Development Plan 2014-2020 and Cobh Municipal District Local Area Plan 2017.
- 11.3.4. The dwelling mix caters for approx. 5% 1 bed, 38% 2 bed and 56% 3 bed units, with one 4 bed unit proposed. The dwellings are in the form of semi-detached/terraced houses and duplex units. Third party submissions raise concerns in relation to the provision of smaller units instead of a great number of larger family sized dwellings. The applicant has submitted a report on housing mix in the area. I consider the variation in scale of the dwellings proposed will cater for various lifecycle stages, as required by national guidance and will enhance the housing mix of the area.

11.4. **Layout and Urban Design**

Overall Development Strategy

- 11.4.1. The layout of the scheme has been informed by the existing site context, specifically the challenging topography, which slopes from southwest to northeast, and also an existing Irish Water watermain which traverses the site from the south up to the middle of the site and across to the east. The wayleave is 6m wide.
- 11.4.2. The site is bounded by roads to the north (L-7015-0) and east (L-2994-0), and Cluain Ard residential development is contiguous to the southern boundary. Access is proposed via two access points from the existing housing development to the south through Chestnut Drive and Beechwood Grove Road, with three accesses also along the eastern boundary from Ash Grove Road and two from the northern boundary. Two indicative access points are shown connecting to future development lands to the west (zoned residential), as per an objective of the LAP, and these connections will ultimately connect further across to the west of the adjoining lands to large zoned open space lands.
- 11.4.3. With regard to the internal street hierarchy, the submitted civil engineering report states all streets are designed as 'local streets' as per the DMURS hierarchy. The adjoining roads, the Ash Grove Road/L-2994-0 and the L-7015-0, are described as small link roads which provide access from these residential clusters to Cobh town.

The internal link streets are 5.5m wide and served by at least one 2m wide footpath. 4.8m wide streets are used in some cul-de-sacs and in front of the crèche. Shared surfaces are introduced through raised junctions, raised street sections and the use of material and texture changes in the street surface treatment and utilisation of home zone designs are proposed in three parts of the site, which also form part of the landscape strategy.

- 11.4.4. The development comprises three character areas, influenced by the topography. The southern portion of the site is the most elevated with a gentle slope, with the central area comprising the steepest slope and the northern area relating to the lowest area of the site with a moderate slope. It is stated that the southern part of the site is the denser part of the site, with a greater number of duplexes, and longer terraces in this area. The northern area is indicated to be of a lower density, with more semi-detached units and a smaller number of terraces.
- 11.4.5. The site is highly permeable and connected for pedestrians and cyclists, as well as for vehicles. The focus on pedestrian and cyclist movement is welcomed as such design layouts support modal shifts away from the car. A pedestrian/cyclist only path traverses the centre of the site, north to south, and connects the open spaces. There are limited cul-de-sacs throughout the scheme. I note, however, that across a large section of the site, footpaths are positioned adjoining the street edge / to the street side of on-street communal parking areas. This issue gives rise to a greater potential for conflict between pedestrians and cars. Should the Board be minded to grant permission, I recommend a condition is attached to any grant of permission to ensure pedestrian paths shall be located behind communal car parking spaces, between proposed dwellings and the parking areas, with a vegetation buffer inserted between the buildings and the footpath, where required.
- 11.4.6. Development is set back within the site to provide for a 3m wide shared pedestrian/cyclist path along the eastern and northern boundaries of the site adjoining the public roads, which at present have no footpaths. The widening of the adjoining roads ties in with longer term plans by the council to upgrade and widen these roads to create pedestrian/cyclist facilities on both sides and improve the wider network in conjunction with the development of the UEA lands. I note there is a missing piece of footpath travelling south along the Ash Grove Road from where the proposed 3m pedestrian/cyclist link ends. However, the applicant proposes to link

this path into the adjoining parallel street which connects back onto the main road further south. While this is not ideal as it is not the most direct route, it does however ensure a continuity of infrastructure for pedestrians.

- 11.4.7. In terms of building design and the public realm, proposed buildings have been designed to address streets and open spaces, and on corner sites a dual-aspect design which address both streets is generally proposed. The creation of urban streets with high levels of overlooking is in compliance with the Urban Design Manual and DMURS for this developing urban area of Cobh. I note that the topography is challenging across sections of the site (as can be clearly seen on drawing no 18065-P-004, Retaining Wall Locations), however, I consider the applicant has through the design of the buildings and the layout of the open space adequately addressed the challenges of the topography.
- 11.4.8. The public open space network is set out as a linear series of open spaces from north to south forming a spine through the site, connected by a linear pedestrian/cyclist path, which is aligned in accordance with the topography linking these open spaces. The strategy identifies uses and layouts for these different areas, using the topography as part of the informal play and landscaping strategy. 5 neighbourhood play areas, a multi-use court, 4 no. kickabout grass areas in addition to the pedestrian/cyclist trail is proposed.
- 11.4.9. I note third party submissions raise concerns in relation to the quantum of open space being provided. The Development Plan states that generally at least 12% to 18% of a site for development excluding areas unsuitable for house construction should be allocated to the provision of public open space, while acknowledging the need to achieve higher qualitative standards in terms of design and layout is particularly important as it helps to achieve a high quality residential environment which fulfils the expectations of users. The planning authority is satisfied that the open space strategy is in accordance with the Cork County Council Interim Recreation and Amenity Policy. I consider the quantum and quality of open space to be in accordance with development plan requirements. The layout has in my view adequately taken into account the topography in the positioning of buildings as well as the location of the associated open spaces. I consider the open space strategy to be acceptable and will adequately cater for the future population in terms of qualitative as well as quantitative needs.

11.4.10. Overall, the development strategy as proposed is acceptable and is an appropriate design response to the topography of this zoned site. The street layout is overall permeable and legible with connections proposed to adjoining undeveloped lands to the west, and the buildings have in general been designed to address corner locations and public open spaces, with the public open spaces themselves well designed and appropriately located. Issues in relation to the positioning of the footpaths relative to the communal parking locations within the scheme could in my view be addressed by way of condition, should the Board be minded to grant permission.

11.5. Local Services and Childcare Facility

- 11.5.1. The applicant has submitted a School Demand Report. At present, there are 6 no. primary schools and 2 no. secondary schools in Cobh, with land zoned for the provision of an additional secondary school in tandem with the first phase of the Ballynoe Urban Expansion Area Development. It is indicated that there is existing capacity in the school network.
- 11.5.2. There is a local neighbourhood centre to the southwest of the existing Cluain Ard development within walking distance of the site, in addition to a range of shops and services in the wider Cobh area.
- 11.5.3. The development proposes one childcare facility, midway along the eastern boundary of the site, adjoining an existing access to the public road. The Childcare Facilities Guidelines for Planning Authorities recommends a minimum provision of 20 childcare places per 75 no. dwellings. I note that Section 4.7 of the 'Sustainable Urban Housing: Design Standards for New Apartments' states that the threshold for the provision of childcare facilities in apartment schemes should be established having regard to the scale and unit mix of the scheme, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area, with 1 bed or studio units generally not be considered to contribute to a requirement for any childcare provision. Subject to location, this may also apply in part or whole to units with 2 or more bedrooms. Excluding 1 bed units, the proposed development based on national guidelines, would generate a requirement for 60 spaces.
- 11.5.4. The applicant has submitted a Childcare Needs Assessment. Based on a total of 225 units, the applicant using census data indicates the development will generate a

requirement for 55 childcare spaces, however I note in the conclusion to the report, this is reduced to 47 spaces (on the basis of exclusion of the 5-12 age bracket). It is stated that there are 4 full day childcare services in Cobh and 4 sessional services. It is stated that Cork County Childcare Committee has indicated they are not aware of any service struggling to fill spaces, however they are also not aware of parents struggling to find childcare. It is stated that data indicates there is a considerable amount of commuting from Cobh and owing to the proximity of the town to larger employment areas of the City Centre, Little Island and Mahon, it is considered likely that a sizeable portion of the existing and future population of Cobh will avail of childcare outside the area, in line with existing commuting patterns.

11.5.5. It is assumed in the submitted assessment that people who are commuting would rather commute with their children to avail of childcare closer to work. I would query this assumption and question whether people generally choose such a scenario due of a lack of provision locally. It is in my view unsustainable to rely on a scattered small number of crèches to support the future population of this development. This has implications in terms of sustainability with parents having to make additional car journeys to access childcare. I note that a map of existing childcare facilities shows no provision for childcare in the existing Cluain Ard estate or proximate to the site. The CE Report considers that given the lack of childcare facilities in this area, the childcare facility should be delivered as part of an earlier phase of development (currently proposed within phase 3).

11.5.6. Having reviewed the information submitted and having regard to the site's location, in addition to the scale of new development proximate to the site, I consider there is no justification for reducing the basic number of childcare spaces required by national guidelines from 60 to 40 spaces. I note there is adequate space around the proposed crèche site to cater for a larger facility of 60 spaces. Should the Board be minded to grant permission, I consider this issue could be addressed by way of condition. I further note there are significant level differences between the crèche and the roadside. The manner in which this boundary is treated will be important to the public realm at this location. I consider a condition to address the detail of this boundary and other boundaries across the site is warranted.

11.6. **Future Residential Amenity**

Design Standards for New Apartments

- 11.6.1. The Guidelines for Planning Authorities on Design Standards for New Apartments issued by the minister in 2018 contain several Specific Planning Policy Requirements (SPPRs) with which the proposed apartments must comply. Schedules were submitted to demonstrate compliance with the standards.
- 11.6.2. The apartments have been designed to comply with the 'Sustainable Urban Housing Design Standards for New Apartments' and the floor areas meet or exceed the required provision in all instances, as per the submitted Housing Quality Assessment. All the units are dual aspect. Requirements in relation to floor to ceiling heights have been met. Internal dimensions and storage arrangements are also acceptable. Private open space is provided in the form of terraces at ground floor level and balconies at upper levels. The submitted schedule of floor areas indicates that private open spaces meet or exceed the quantitative standards provided in Appendix I of the apartment guidelines. Communal open space provision is also acceptable.
- 11.6.3. A Building Lifecycle Report, as required by the guidelines, has been submitted.
- 11.6.4. Car parking provision at 1 space per apartment is considered acceptable, however is not clear how many bicycle parking spaces are being provided (see section 11.8 of this report hereunder). This can be addressed by way of condition should the Board be minded to grant permission.
- 11.6.5. The proposed development overall would in my view provide an acceptable standard of amenity for the occupants of the proposed apartments.

House Designs

- 11.6.6. The proposed houses are adequate in size and have a sufficient level of internal accommodation and private rear garden space. Generally back to back distances of 22m are achieved where windows are directly opposing. Two parking spaces are proposed per dwelling, with 1.5 spaces proposed for 2 bed dwellings. A variety of designs, materials and finishes are proposed, which I consider acceptable. The proposed dwelling units have been designed in all instances to overlook streets and open spaces where relevant and have had due regard to the amenities of existing neighbouring properties. While some third parties raise concerns in relation to the

urban form of the development with communal parking, I note Cobh is a metropolitan town which has capacity to grow in a sustainable and compact form. The variation in house types and the urban design approach is in my view appropriate for this area. Furthermore, while the topography raises challenges in the juxtaposition of dwellings at certain points within the scheme, overall I consider the level of residential amenity being achieved for future occupants is acceptable.

11.7. Impact on the Amenities of Neighbouring Properties

- 11.7.1. Concerns are raised by existing residents proximate to the site in relation to loss of outlook, privacy, and amenity, as a result of the proposed development. Concern is also raised in relation to the removal of a section of green to the front of the detached dwellings to the southeast to facilitate footpath/cycle path upgrades.
- 11.7.2. Given the evolving urban character of this area, and given separation distances involved I do not consider the proposal will seriously injure the residential amenities of the existing detached properties on Ash Grove Road or on the existing dwellings to the north of the site in terms of overlooking, overshadowing or loss of outlook.
- 11.7.3. I note concerns raised in relation to lack of parking/front garden depths to the dwellings facing Ash Grove Road and concern that the arrangement proposed will result in parking on Ash Grove Road. I note the parking for these dwellings is unusual in that it is not directly in front of the dwellings but along the access roads within the scheme, with a landscaped edge to Ash Grove Road and individual pedestrian access points to the dwellings in place of vehicular accesses. I consider this arrangement provides for a more defined urban street edge which will be active and safe for pedestrians and cyclists. I consider this urban edge appropriate for this residentially zoned land in the suburban area of Cobh. Any issues that arise with traffic management on Ash Grove Road will be a matter for the local authority to address and enforce through the appropriate channels. While there will be some loss of amenity to the green verge to the southeast of the site and loss of hedgerows along the eastern and northern boundaries, I consider on balance the wider community benefits for improved walking and cycling connections along the public roads at this location outweigh the loss of hedgerow and a section of green space.
- 11.7.4. The existing boundary block wall to the rear of the existing detached dwellings to the southeast is significant in scale given the level differences between the application

site and existing dwellings and is also poorly finished from the side of the applicant lands. Details in relation to proposed finishes/boundary treatment at this location for the proposed dwellings on sites 201-219 should be submitted to the planning authority for written agreement, should the Board be minded to grant permission. Given the separation distances involved (22.5-28.8m) and the creation of larger back gardens for those units along the northeast corner where the boundary wall is highest, it is my view that the proposed development will not seriously injure the residential amenities of existing detached dwellings at this location or the amenity of future occupants.

11.7.5. I consider the manner in which the development is connected into the existing development at Cluain Ard has been appropriately designed in terms of street layout and building orientation so as to protect the amenities of existing dwellings in this development. I note that there are level differences along the boundaries with existing dwellings at this location, however, having regard to the overall separation distances I do not consider the proposed development will have a serious negative impact on residential amenity.

11.8. **Traffic, Transportation and Access**

Existing Network

11.8.1. Cobh Municipal District LAP 2017 highlights issues with the existing road network in Cobh. Great Island and the town of Cobh are accessed via the R624, which diverges from the N25, the main east-west route from Cork to Waterford. As stated in the LAP, this is the only fixed link from this island to the mainland and the road experiences serious capacity issues at peak times, is poorly aligned in many parts and also contends with flooding problems at Belvelly Bridge. Road access to the town therefore requires significant upgrading while the road infrastructure within the town also needs to be improved to facilitate development.

11.8.2. The Cobh LAP identifies road network upgrades required in the area of the application site. There are specific map based objectives for road network upgrades to the existing roads immediately adjoining the site to the east and north, under specific objectives CH-U-03 and CH-U-04, which extend beyond the application site and are linked to the development of the Ballynoe Urban Expansion Area (UEA)

lands, as set out in table 3.2.3 of the LAP. There is provision in the LAP for a new train station to the west, proximate to the ferry terminal.

- 11.8.3. The application site has frontage onto two roads - Ash Grove Road/L-2994-0 along the east boundary and the L-7015-0 along the northern boundary. Both local roads lead north to junctions with the Tay Road, which provides access west to the R624 and east which provides an alternative route to Belvelly Bridge. Both local roads north of the site are limited in width and have very poor sightlines looking east at their t-junctions with Tay Road.
- 11.8.4. With regard to public transport, the rail station is 2.0km (25min walk) by road from the proposed site and provides a direct connection to Cork City. The Cross-River Ferry is 2.5km from the development and provides a link from Cobh to Carrigaline, Ringaskiddy, and Monkstown. The "Cobh Connect" bus service, which provides a link between Cobh and Cork City, has a bus stop for located 700m from the development.
- 11.8.5. In terms of proposed accesses to the site, three vehicular access points are proposed from the eastern boundary into the site, two from the north, and two through the existing residential development to the south (which the application site formed part of under a previous, now expired, permission).

Proposed Network Upgrades

- 11.8.6. The main infrastructural upgrades proposed as part of this development, as set out in the submitted documentation and TTA, are as follows:
- Upgrading of Junction 1, west of the site: R624 Cork Road/Ballynoe Road to a signalised junction.
 - Provision of a 3m wide footpath/cyclepath adjoining Ash Grove Road/L-2994-0 and the L-7015-0. It is noted in the submitted documentation (and observed at site inspection) that the bend in the L-2994-0 at the northeast corner of the development has a radius of 12m and is unsuitable for the roads current and future usage. The proposed layout allows for the improvement of this corner.
 - Provision for pedestrian/cyclist links to lands to the west.

- Agreement to pay for upgrade of Junction 5 with Tay Road/L-7015-0, involving upgrade of the sight-lines, as per submitted design. The TIA states this has been agreed with Cork County Council and the submitted Planning Report and Statement of Consistency states Cork County Council has indicated they will carry out these works within 18 months of commencement of the proposed development. However, I note no reference/assessment is made in relation to this proposal in the submitted Chief Executive's Report from the planning authority or in the accompanying report from the Traffic and Transportation Section.

Traffic and Transport Assessment – Operational Impacts

- 11.8.7. A Traffic and Transport Assessment (TTA) has been submitted with the application, the parameters of which are stated to have been agreed with Cork County Council's Traffic and Transportation Department. The TTA sets out the methodology on which it is based and examines the existing road network. Existing traffic patterns were established and confirmed via traffic counts and junction surveys. Four junctions were surveyed as part of the TIA: Junction 1: 'The Cork R624/Ballynoe Road; Junction 2: The Tay Road/L-2994-0 Junction; Junction 3: The Tay/Cobh Road Junction at Ticknock (northeast of the site); and Junction 4: Peter O'Donovan Place/Kirkwood Villas Junction (south of the site). The result of the traffic information was used in determining the directional split of the predicted traffic. I note Junction 5, which is the t-junction west of Junction 2, was not included in the traffic count junction survey, but is examined as part of a solution to the road network constraints in the TIA.
- 11.8.8. The traffic count information confirmed that the Ballynoe Road/Cork Road R624 (Junction 1) is the main desire line for residents exiting the development during the morning peak, ie most residents will turn north to exit Cobh rather than go through the town. Trip generation information was calculated, with 160 trips predicted to be generated in the AM and 179 in the PM for the residential element. For the crèche, 26 trips are predicted for the AM and 18 in the PM.
- 11.8.9. The TTA identifies Junction 1 as currently operating above capacity on the Ballynoe Road approach. The delay experienced by traffic turning in the direction of Cork is significant in the morning peak (average 124 seconds/vehicle). Restricted sightlines

at this junction in conjunction with significant flows and high approach speed on the main Cobh Road are the main causes identified in the TTA. Evident from the traffic counts carried out at Junction 2, the directional split of traffic coming from the direction of the site is to the right, away from Junction 1 (98%). With the development in place, the Ballynoe approach is anticipated to deteriorate significantly. If proposed upgrade works to this junction are carried out (the signalisation of the junction) then a redistribution of traffic would be expected, allowing Cork bound traffic to access the main Cobh Road (R624) at this location. The applicant has undertaken an assessment of how the signalised junction would operate including timing of changes.

- 11.8.10. Junction 2 (north of the site at junction of Ash Grove Road/L-2994-0 and Tay Road) is seen to operate within capacity due to the low volumes of traffic involved. However, the existing junction has limited sightlines with the minor road approach also being substandard in width. This public road junction would need significant improvement works carried out if traffic volumes using this junction are to be facilitated.
- 11.8.11. Junction 3 (north east of the site at a small settlement/Ticknock) is a staggered cross roads junction with downhill approaches on three of the four arms. Traffic modelling of this junction indicates a Level of Service D on the approach from the direction of the development (Ballynoe Road). Restricted sightlines to the left and observed approach speed are contributing factors to the delay incurred. This delay is set to increase over time as a result of applied growth to background traffic and with the inclusion of development traffic.
- 11.8.12. Junction 4 (south of the site) is a staggered cross-roads junction within the urban environment. This junction is seen to operate within capacity up to and including the design year 2035. The impact of development traffic on this junction is indicated to be minimal.
- 11.8.13. The results highlight that Junction 1 and Junction 2 are operating close to or above capacity for the peak periods (morning peak in particular). The split in traffic on Junction 3 suggests that morning traffic exiting Cobh uses both the R624 and the L2989 which can result in significant delays on the minor approach to Belvelly Bridge.

- 11.8.14. Junction 1, R624/Ballynoe serves a significant residential area providing direct vehicular access to the R624 Cork Road, the Passage West Ferry and the train stations of Rushbrooke and Carrigaloe. In order to increase capacity at junction 1 the option of using traffic signals was explored. LinSig V3.2 was used to assess this standalone junction for current year flows and for future year flows with the development in place. The junction is at 90% of its operational capacity and therefore has a practical reserve capacity of 10%.
- 11.8.15. The traffic modelling results presented show that the existing roads network operates close to or below capacity at present for three of the four junctions analysed. Junction 1 is operating above capacity, currently working at a Level of Service F, implying significant delay can be incurred at peak periods (on the Ballynoe approach). With the addition of development traffic, the network will continue to operate as currently but with increased delay at the critical junctions.
- 11.8.16. The TTA states that upgrade works to improve safety at junctions 1, 2, 3 and 5 should be considered by the local authority. Such works would include the set-back of ditches to achieve sightlines and traffic calming works where appropriate. The applicant has submitted a design and will pay a contribution toward the delivery of Junction 1. The signalization of Junction 1 is seen to improve the capacity of this junction whilst also addressing an existing road safety issue. The TTA states it has been agreed with the Local Authority that a special contribution for the improvement of sightlines at Junction 5 will be made as part of this application. A junction design for these works has been produced, including costings, and submitted to the Council. As noted above junction 5 was not one of the junctions surveyed, but I note it is along a direct route which will be improved along the northern boundary with the application site and given the access from the development to this road at the northern boundary, it is likely to receive additional traffic with this development in place. I note the planning authority has not commented on the proposed works to Junction 5.
- 11.8.17. The signalisation of Junction 1 is proposed to resolve a significant road safety issue in getting traffic across this junction and in addition to facilitating a rebalancing of traffic on the overall network, given people avoid this junction due to current safety/access issues. It is anticipated that this will allow traffic that opt to head east

on Tay Road will now have option of heading west on Tay Road due to improvements at Junction 1.

- 11.8.18. Third party submissions raise concerns in relation to impacts of the development on the local road network in terms of capacity and congestion particularly given the rural nature of the roads to the north of the site.
- 11.8.19. The Chief Executive's report and the Traffic and Transportation Section report recommends a special contribution toward the cost of the Tay Road and R624 road junction upgrade. The report further notes that while the Council area engineer recommends the applicant widen and upgrade the L-7015 from the northern corner of the site to the Tay Road L-2993, these lands are not all within the applicant's control. The application site is not within the Urban Expansion Area (UEA) of Ballynoe/Cobh, but within the development boundary of the built up area, therefore the planning authority is of the view that these works are not required and are more critical to the UEA. The upgrade of the Tay Road junction (I consider this reference in the CE report relates to Junction 1) is the critical requirement for this development and the developer has addressed this. The internal report from the Traffic and Transportation section of the local authority states the proposed treatment of the main road and footpath connectivity links will be commented on by CCC's Housing Infrastructure Implementation Team. No such report exists on file, however I note the planning comments within the CE report indicates the planning authority are satisfied with the proposed improvements.
- 11.8.20. I note that while the TTA refers to the works at junction 5 as if they have been agreed to by the local authority, I note that neither the CE report nor the internal report from the Traffic and Transportation section references the Junction 5 upgrade works proposed by the applicant. The proposed works are not within the red line boundary of the site and no contribution in respect of these works is recommended in the conditions submitted by the planning authority. I note from the submitted TTA that this is an important junction upgrade for this development given existing restrictions on sight lines, and given the majority of traffic is anticipated to travel north from the site and from this side of Cobh via this route in the future, presumably as the UEA develops.

- 11.8.21. Should the Board be minded to grant permission, I consider it reasonable to apply a condition to any permission requiring this junction upgrade be put in place to support this development and its delivery should be coordinated with the delivery of the housing within this development, in consultation with the planning authority. I acknowledge that this junction work is not within the control of the planning authority to undertake and cannot be undertaken by the applicant, however, I consider its delivery as set out in the TTA and provided for within the submitted drawings is necessary to facilitate this development, while noting the upgrade to Junction 1 is the most important junction upgrade required to facilitate this development.
- 11.8.22. While third party submissions raise concerns in relation to the lack of design analysis undertaken in relation to the proposed signalised junction and potential for knock on impacts on traffic and access to the ferry, I have considered the drawings and background analysis submitted by the applicant and I consider the issue has been satisfactorily addressed by the applicant. I note the Traffic and Transportation section of the planning authority raises no concerns with regard to the design proposed for Junction 1.
- 11.8.23. Having regard to the sequential location of the site, the planning history and pattern of development in the area, in addition to the wider transport aspirations for Cobh linked to the development of lands within the UEA area north of the application site, I consider the road network improvements proposed are commensurate with the scale of development proposed at this zoned serviced site contiguous to the existing urban edge of Cobh and will overall release capacity in the network and provide for safer options above what exists at present. This is an urban area and a level of congestion is to be expected, as zoned and serviced lands develop (including the development on-going opposite the application site for 171 dwellings). I note the LAP outlines further improvements required to cater for future development in Cobh and these are proposed to be undertaken in conjunction with the development of the UEA area, in tandem with the development of that strategic landbank. In addition the focus on the local footpath and cycle network provisions will aid in supporting these more sustainable modes. I consider that, subject to conditions, the proposed development will not give rise to significant traffic congestion above what exists and would not result in a road hazard. I consider the issue of traffic has been satisfactorily addressed by the applicant.

Internal Street Design and Parking

- 11.8.24. The applicant has stated that the layout has been designed in accordance with DMURS, with the internal streets categorised as local streets in accordance with DMURS with provision for shared surfaces and limited home zone areas.
- 11.8.25. A total of 407 parking spaces are proposed for this development of 237 units. 2 spaces are provided for per house. In the case of 2 bed houses, provision is made for 1.5 spaces. Apartments and duplexes have been allocated 1 space per unit. 5 visitor parking spaces are provided for. I consider the level of parking to be adequate for the development and in accordance with national guidance. The planning authority note the level of parking is below the development plan standards, however, the greatest density including the apartments and duplex units are located in the southern portion of the site within the suburban rail corridor where the supplementary development contribution scheme for the Cobh/Midleton-Blarney Suburban Rail Project applies, therefore there is scope to consider a reduced number of car parking spaces.
- 11.8.26. It is not clear how many cycle spaces are being provided for. Section 4.17 of the apartment guidelines specifies a general minimum cycle parking standard of 1 cycle storage space per bedroom and visitor parking at a rate of 1 space per 2 residential units. This would equate to a requirement for 96 no. resident spaces and 27 no. visitor spaces within the scheme, which is a total of 123 spaces. This can be addressed by way of condition, should the Board be minded to grant permission.
- 11.8.27. I consider overall the street layout, connectivity and permeability facilitated across the scheme and on the adjoining road network is acceptable. However, I consider the relationship between the on-street parking and footpaths to be problematic in areas. In my view the footpath should be located between the buildings and the parking area and not on the street side of the parking, where conflicts between pedestrians and cars are likely to be greater. This issue can be addressed by way of condition, should the Board be minded to grant permission.
- 11.8.28. I note that the footpath on the L-2994-0 has a missing section between this site and the existing footpath network. I note the applicant proposes a pedestrian path which will connect into the path that exists on the parallel street to the L-2994-0, which is within the red line boundary of the site and the applicant has consent to

undertake these works. While from a pedestrian perspective this is not the most direct desire line, it does provide for connectivity and any improvements further to this are within the remit of the council to deliver.

Construction Traffic

- 11.8.29. An Outline Construction and Environmental Management Plan has been submitted by the applicant. The choice of routes and management of routes to be utilised for construction traffic should be agreed with the planning authority. This issue could be addressed by way of condition should the Board be minded to grant permission.

Conclusion

- 11.8.30. Subject to the road infrastructure works proposed, I consider that a development of the scale proposed at this site can be accommodated within the existing road/street network. Overall I consider the proposal would not lead to the creation of excess traffic or obstruction of road users and I consider the proposal to be generally acceptable in this regard.

11.9. Infrastructural Services

Water and Wastewater

- 11.9.1. It is proposed to connect the development to the public water and foul sewer network in the area. Irish Water raises no issues with the proposed development.
- 11.9.2. Irish Water currently has a project underway as part of which it is planned to pump sewage to a new treatment plant at Shanbally. Operations commenced at the new plant at the end of December 2016 providing full treatment of all wastewater from Carrigaline, Crosshaven and Shanbally. The completed treatment plant will also serve the Cobh area. This Irish Water project is scheduled to be completed by the end of 2020. Upon connection of the Cobh area to the new Shanbally treatment plant there will be sufficient capacity at the treatment plant to adequately treat all wastewater generated at the project site prior to release to Cork Harbour.

Flooding

- 11.9.3. The Engineering Report submitted states there are no records of any flooding in this area of Cobh in the OPW's flood maps and the development lies outside all flood

zones shown in the Local Area Plan for the Cobh Municipal District. The planning authority raises no concerns in relation to flooding in this area.

Surface Water Management

- 11.9.4. The surface water hydrological pathway to the final outfall location at the West Passage channel is formed by an existing surface sewer pipe, which conveys surface water from the project site and surrounding area to West Passage at Cork Harbour.
- 11.9.5. The proposed onsite storm water drainage network will drain to the existing public surface water sewer pipes. The storm sewers within the site have been designed in five separate networks due to the topography of the site and the proposed street layout, with outfalls proposed to the existing network to the north and to the east of the site. It is stated in the documentation that the storm system as constructed has been designed to accept the unattenuated flow from this development, which discharges ultimately to Cork Harbour and not to a watercourse and the developer has paid significant contributions as part of the previously permitted development toward the storm water collection system for the wider Cobh area.
- 11.9.6. The outfall for the stormwater drainage network is located at a remote distance from any designated conservation area and does not form a link between the project site and such areas. As such there will be no potential for the project to result in indirect effects to designated conservation areas as a result of emissions from the project site. It is stated in the documentation that the outfall has been designed to incorporate a stiling basin so as to dissipate the energy of the discharging water. A flap valve has also been provided so as to prevent the flow of water into the sewer during possible extreme high tides and storm surges.
- 11.9.7. I note that no SUDS measures appear to have been provided for as part of the design of this development. Objective WS5-1 of the Cork County Development Plan 2014-2020 states: Surface Water and SuDS (a) ensure that all new development incorporate sustainable drainage systems (SuDS). The development plan further states that the objective of SuDS in new developments is to replicate, as closely as possible, the surface water drainage regime of the predevelopment 'greenfield' situation. Therefore the extent of impermeable surfaces such as road surfaces, parking areas, driveways, patios, etc, should be minimised by careful attention to site

layout and the specification of porous surfacing materials where practicable. The management of stormwater drainage should emphasise retention and infiltration at source, which reduces runoff volumes and slows the rates of runoff as well as providing partial treatment. The latter requirement reduces the pollution threat to watercourses and ground water. The Cobh Municipal District LAP 2017 states under objective CH-GO-13: 'Design an integrated approach to surface water management which considers land use, water quality, amenity and habitat enhancements, thereby, replicating the current greenfield rate of surface water runoff post development to prevent flooding of lands and settlements downstream. A Sustainable Urban Drainage Strategy should be completed for the site prior to development'.

11.9.8. I consider the lack of a SuDS design to be a serious omission from the design of the scheme, notwithstanding that there are no streams on the site. SUDS is a way of managing rainfall that minimises negative impacts on the quantity and quality of runoff, whilst maximising the benefits of amenity and biodiversity for people and the environment. It is a multi-disciplinary approach to addressing water quality, water quantity, amenity and habitat. A revised surface water drainage plan for the site incorporating a SuDS drainage plan, should be required to ensure that all surface water generated in the new development is disposed of on-site or is attenuated and treated prior to discharge. I note the area engineer recommends a condition requiring storm water attenuation measures to be incorporated into the proposed storm water system, to include detailed site specific design, layout and section drawings and construction details as well as details for the operation, maintenance and silt management of the system.

11.9.9. The issue of SUDS can be addressed by way of condition, should the Board be minded to grant permission.

11.10. **Biodiversity**

11.10.1. The applicant has submitted an Ecological Impact Assessment (EclA) report, which details the methodology of the ecological assessment. The site is not located within or adjacent any designated European sites and no pathways have been identified between this site and any European site in the wider area. Section 12 addresses Appropriate Assessment screening.

- 11.10.2. In terms of the receiving environment, habitat surveys were undertaken in September 2018, March 2019 and September 2019. All bird species using the site were recorded and an examination of the site for otters or other protected non-volant mammal species was undertaken. Bat activity surveys were undertaken in August and September 2019.
- 11.10.3. The main hedgerows in existence bound the site to the north and east and are stated to be dominated by *Prunus spinosa*. Some *Fraxinus excelsior* also occurs along the northern site boundary. The hedge understorey is dominated by *Rubus fruticosus* agg. The treeline (WL2) occurring to the south of the site consists of a number of mature *Macrocarpa* trees. These hedgerows and treeline will be removed as part of the development. The EclA states diversity within the hedgerows is low and there are limited connections between this hedgerow and the wider hedgerow network occurring in agricultural lands to the west and north of the project site. The nature conservation value of these hedgerows is rated as low (Rating E). The treeline occurring to the south of the project site is of low nature conservation value (Rating E).
- 11.10.4. Commonly occurring passerine bird species were recorded within and surrounding the site during field surveys. The hedgerows are of low value to bird species and there will be minimal loss of bird foraging habitat as a consequence of the proposed development. The EclA concludes that the high magnitude effect to these habitats of low ecological value will represent an impact of minor negative significance.
- 11.10.5. The EclA states that no definitive evidence of protected mammals such as otter or badger was noted within or immediately bounding the project site. During bat activity surveys in August and September 2019 a total of three species, comprising Leisler's bat, Soprano pipistrelle and Common pipistrelle were recorded. The site does not provide suitable roosting habitat for bats and none of these were considered to be roosting on site. The bat activity recorded was representative of commuting bats with no consistent foraging behaviour being recorded during either the August or September bat survey.
- 11.10.6. There are no rivers, streams, or drainage ditches in the vicinity of the site.

- 11.10.7. Evidence of invasive plant species *Buddleja cavidii* and *Leycesteria Formosa* were identified on the application site and mitigation measures proposed to limit their spread and eradicate them.
- 11.10.8. To minimise impacts to habitats, mitigation in the form of construction management works and a Construction and Environmental Management Plan are proposed and through the replacement and enhancement tree planting which will be undertaken as part of the proposed landscaping within the project site. The landscaping design proposes to plant additional native tree species, including fruiting trees and the establishment of this planting will provide replacement of hedgerow and scrub vegetation lost during the construction phase of the project.
- 11.10.9. Cumulative impacts have been considered and none were identified.
- 11.10.10. I note concerns raised by Cork County Council biodiversity officer in relation to the total loss of the hedgerows along the eastern and northern boundaries. While it is generally desirable to retain existing hedgerows, I note that the specific objective to widen the road at this location and provide for cycle pedestrian facilities (specific objectives CH-U-03 and CH-U-04) would conflict with the retention of these hedgerows. I consider on balance that mitigation by way of new landscaping along the boundaries and within the site is acceptable in this instance.

11.11. Landscape and Visual Impact

- 11.11.1. The applicant has submitted a 'landscape and visual impact assessment', the existing policy context and environment are examined and ten viewpoints are assessed within the report, with photomontages included of proposed views.
- 11.11.2. Cobh is categorised as a 'City Harbour and Estuary' landscape in Cork County Council's Draft Landscape Strategy 2008. There are no specific environmental or landscape designations affecting the site. There is a scenic route 1.25km to the west and 1km to the south of the site and there are two pNHAs to the west and east also.
- 11.11.3. The levels across the site fall from the south to north. The highest point at the south is indicated to be +72mOD, in the middle +60m OD and at the northern edge +52mOD. The site is described as being at the interface of the urban and rural area.

11.11.4. I accept the results of the visual impact assessment which concludes that the proposed development when complete will read as a significant but not unexpected intervention in the local landscape setting, consistent with expectations for these zoned lands. The construction stage impact of the proposed development, having regard to the view points assessed and the degree of change, would be high and the significance is generally high adverse and temporary. In terms of the operation phase, the impact overall is considered high and beneficial given the design qualities of the proposal and given it will transport the unkempt site to a new residential environment. Mitigation is proposed in the form of planting to the proposed public open spaces and the overall landscaping plan, with residual impacts mitigated in the medium to long term as planting matures across the site.

12.0 Appropriate Assessment

12.1. Introduction

12.1.1. The application is accompanied by an AA Screening Report. The report concludes that the proposed development either individually or in combination with other plans or projects would not be likely to have a significant effect on any European sites and as such a Stage 2 Appropriate Assessment is not required.

12.1.2. Having reviewed the documentation available to me, I am overall satisfied that there is adequate information available in respect of baseline conditions to clearly identify the potential impacts on any European site and I am satisfied that the information before me is sufficient to allow for appropriate assessment of the proposed development.

12.2. Screening

12.2.1. The site is a greenfield site and the habitats within and adjacent to the development site were evaluated. The majority of habitats on the site are indicated to be of low ecological importance.

12.2.2. There are no known water courses on the site. The site is not located adjacent or within a European site.

12.2.3. The following Natura 2000 sites are noted as being within 15km of the proposed development.

Site Name and Code	Approx. Distance from Site
Cork Harbour SPA (site code 004030)	2.5km to the southwest
Great Island Channel SAC (site code 001058)	2.5km to the north

12.2.4. Sites further than 15km from the site were examined however given the separation distances involved and given the lack of a substantive linkage between the proposed works and any other European site, these sites were not examined further.

The following two sites are examined in more detail:

Cork Harbour SPA (site code 004030)

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species:

- Little Grebe (*Tachybaptus ruficollis*) [A004]
- Great Crested Grebe (*Podiceps cristatus*) [A005]
- Cormorant (*Phalacrocorax carbo*) [A017]
- Grey Heron (*Ardea cinerea*) [A028]
- Shelduck (*Tadorna tadorna*) [A048]
- Wigeon (*Anas penelope*) [A050]
- Teal (*Anas crecca*) [A052]
- Pintail (*Anas acuta*) [A054]
- Shoveler (*Anas clypeata*) [A056]
- Red-breasted Merganser (*Mergus serrator*) [A069]
- Oystercatcher (*Haematopus ostralegus*) [A130]
- Golden Plover (*Pluvialis apricaria*) [A140]
- Grey Plover (*Pluvialis squatarola*) [A141]
- Lapwing (*Vanellus vanellus*) [A142]
- Dunlin (*Calidris alpina*) [A149]

- Black-tailed Godwit (*Limosa limosa*) [A156]
- Bar-tailed Godwit (*Limosa lapponica*) [A157]
- Curlew (*Numenius arquata*) [A160]
- Redshank (*Tringa totanus*) [A162]
- Black-headed Gull (*Chroicocephalus ridibundus*) [A179]
- Common Gull (*Larus canus*) [A182]
- Lesser Black-backed Gull (*Larus fuscus*) [A183]
- Common Tern (*Sterna hirundo*) [A193]
- Wetland and Waterbirds [A999]

The specific conservation objectives for this site seek to maintain the favourable conservation condition of each of the listed features.

Great Island Channel SAC (site code 001058)

The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive

[1140] Tidal Mudflats and Sandflats

[1330] Atlantic Salt Meadows

The site has specific conservation objectives as follows: to maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Great Island Channel SAC, as defined and to restore the favourable conservation condition of Atlantic salt meadows (*Glauco- Puccinellietalia maritimae*) in Great Island Channel SAC as defined.

- 12.2.5. The proposed development is examined with regard to whether a hydrological pathway exists to Cork Harbour SPA and SAC, an examination of whether qualifying interests occur within the zone of influence of the development, and does the development have the potential to interact with mobile species.

Potential Impacts - Cork Harbour SPA

- 12.2.6. The proposed development will be connected to a public water, surface water and foul sewer network. Attenuated surface water will outfall from the development to the

public surface water network, which will discharge surface water via a stiling basin to its final outfall location at the West Passage channel section of Cork Harbour. The nearest point of the Cork Harbour SPA to the discharge location is approximately 2km to the southwest at Monkstown Creek. The volume of surface water from the proposed development is imperceptible to this section of the harbour. All stormwater draining from the existing storm sewer will be thoroughly mixed and diluted within the West Passage Channel section of the harbour such that there will be no potential for it to be perceptible within the larger body of the harbour. All wastewater generated during the construction phase will be collected from the site compound and deposited off site at an appropriately licenced treatment facility. All wastewater generated during the operation phase of the project will be conveyed to the municipal wastewater treatment plant (WWTP) at Shanbally where it will be adequately treated prior to discharge to the receiving environment. It has been confirmed that sufficient capacity is available at this WWTP to adequately treat all additional wastewater loads generated during the operation phase of the project.

12.2.7. As such there will be no potential for the project to result in direct or indirect effects to European sites as a result of surface water emissions from the project site.

12.2.8. The wetland habitats of this SPA are located at a remote distance from the project site and there are no pathways that will connect the project to these habitats.

12.2.9. The project site does not support any habitats upon which special conservation interest bird species of the SPA rely. Furthermore the project site is located at a remote distance from the roosting and foraging habitats that are designated for these bird species.

Potential Impacts – Cork Harbour SAC

12.2.10. There is no potential hydrological impact pathway linking the project site to this SAC. For the reasons outlined above in relation to Cork Harbour SPA, there will be no potential for a hydrological impact pathway to connect the project site to the SAC.

12.2.11. As no hydrological impact pathway links the project site to this SAC there will be no potential for the project to interact with the qualifying habitats of this SAC.

12.2.12. No qualifying species were found on the site that are listed as qualifying features of interest for this SAC.

Conclusion

12.2.13. The project site is not hydrologically linked to the Cork Harbour SPA or the Great Island Channel SAC with the nearest sections of both European Sites being buffered from the storm water outfall by a large, tidal waterbody. The Source-Pathway-Receptor model has not identified the presence of an impact pathway, be it hydrological, or mobile species, linking the project site to European Sites in the wider surrounding area.

12.2.14. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on European Site No. 004030 (Cork Harbour SPA), European Site No. 001058 (Great Island SAC) or any other European site, in view of the site's Conservation Objectives, and that a Stage 2 Appropriate Assessment is not required.

13.0 Recommendation

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

14.0 Reasons and Considerations

Having regard to the following:

- (a) the policies and objectives set out in the Cork County Development Plan 2014-2020
- (b) the policies and objectives set out in the Cobh Municipal District LAP 2017
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- (d) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018

- (e) the Design Manual for Urban Roads and Streets (DMURS), 2013
- (f) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (g) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2018
- (h) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009
- (i) the nature, scale and design of the proposed development
- (j) the pattern of existing and permitted development in the area
- (k) the planning history within the area
- (l) the submissions and observations received, and

it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this suburban location, would not seriously injure the residential or visual of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Recommended Draft Order

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 11th day of December 2019 by Coakley O'Neill Town Planning Ltd. on behalf of 1 Ash Grove Land Limited.

Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

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

Reasons and Considerations

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

- (a) the policies and objectives set out in the Cork County Development Plan 2014-2020
- (b) the policies and objectives set out in the Cobh Municipal District LAP 2017
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- (d) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018
- (e) the Design Manual for Urban Roads and Streets (DMURS), 2013
- (f) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (g) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2018
- (h) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009
- (i) the nature, scale and design of the proposed development
- (j) the pattern of existing and permitted development in the area
- (k) the planning history within the area
- (l) the submissions and observations received, and
- (m) the report of the Inspector.

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density in this

suburban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the Screening for Appropriate Assessment report submitted with the application, the Inspector's Report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment Preliminary Examination

The Board completed a preliminary examination in relation to environmental impact assessment of the proposed development and had regard to the EIAR preliminary screening determination carried out by the Inspector.

Having regard to:

- (a) the nature and scale of the proposed development on zoned lands served by public infrastructure,
- (b) the absence of any significant environmental sensitivities in the area,
- (c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

the Board concluded at preliminary examination stage that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.

16.0 Conditions

1.	<p>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 or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <ul style="list-style-type: none"> (i) Where pedestrian paths are positioned between the street edge and communal parking spaces, such paths shall be repositioned so that they are located behind communal car parking spaces, between the proposed dwellings and the parking areas, with a vegetation buffer inserted between the buildings and the footpath where required, unless otherwise agreed in writing with the planning authority. (ii) A revised design in relation to the layout of the childcare facility to accommodate a minimum of 60 childcare places. <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

	<p>Reason: In the interests of proper planning and sustainable development, to safeguard the amenities of the area and to enhance permeability</p>
3.	<p>All recommended measures outlined in the submitted Ecological Impact Assessment report shall be implemented in full.</p> <p>Reason: In the interests of biodiversity.</p>
4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings/buildings and detailed public realm finishes shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Details shall include, inter alia, boundary treatment to rear of sites 219-201 and 234-237, boundaries along the L-2994-0 and L7015-0 and all entrance points to the development, boundaries to the childcare facility and between the front and rear of dwellings.</p> <p>Reasons: In the interest of visual and residential amenity.</p>
6.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) 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 developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>

7.	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p>Reason: In the interests of amenity and public safety.</p>
8.	<p>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.</p> <p>Reason: In the interests of visual and residential amenity.</p>
9.	<p>123 no. bicycle parking spaces shall be provided within the site. Details of the layout, marking demarcation and security provisions for these spaces shall be submitted for the written agreement of the planning authority prior to commencement of development.</p> <p>Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.</p>
10.	<p>The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
11.	<p>Prior to the opening/occupation of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by</p>

	<p>residents/occupants/staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
12.	<p>A minimum of 10% of all communal car parking spaces should be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.</p> <p>Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.</p>
13.	<p>Prior to commencement of development the developer shall submit a revised drainage plan to provide for SuDS measures. The plan shall include detailed site specific design, layout, section drawings and construction details for the attenuation and disposal of surface water, which shall comply with the requirements of the planning authority for such works and services. The developer shall in addition submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>

14.	<p>The site shall be landscaped and earthworks carried out in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of residential and visual amenity.</p>
15.	<p>The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the landscape scheme submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with the planning authority. The areas of public open space within each phase shall be completed before any of the dwellings are made available for occupation in that phase and shall be maintained as public open space by the developer until taken in charge by the local authority or management company.</p> <p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
16.	<p>(a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.</p> <p>(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.</p>

17.	<p>(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company</p> <p>(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 residential units are made available for occupation.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
18.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
19.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> 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;

	<p>d) Details of on-site car parking facilities for site workers during the course of construction;</p> <p>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;</p> <p>f) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>i) 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;</p> <p>j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>l) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety.</p>
20.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
21.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the</p>

	<p>matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
22.	<p>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 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 Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>
23.	<p>The developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
24.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –</p> <p>(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,</p> <p>(b) employ a suitably qualified archaeologist who shall carry out site testing and monitor all site investigations and other excavation works, and</p>

	<p>(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection (in situ or by record) of any remains that may exist within the site.</p>
25.	<p>The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to and agreed in writing with the planning authority prior to commencement of any development.</p> <p>The phasing plan shall include the following:</p> <ul style="list-style-type: none"> (a) Delivery of housing in accordance with the phasing plan submitted. (b) A detailed timeframe for the delivery of road network and junction upgrades relating to Junction 1, Junction 5, the L-2994-0 and the L-7015-0, as set out in the TTA, in conjunction with the delivery of housing. (c) Delivery of the childcare facility as part of a second phase of development, unless the developer can demonstrate to the written satisfaction of the planning authority that a childcare facility is not needed (at this time). <p>Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.</p>
26.	<p>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</p>

	<p>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.</p> <p>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.</p>
27.	<p>The developer shall pay to the planning authority a financial contribution in respect of the Cobh/Midleton-Blarney Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.</p>
28.	<p>The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of the upgrading of the Ballynoe/Tay Road and the R624 junction to a signalised junction. 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 Bord Pleanála for determination. The contribution shall be paid prior to</p>

	<p>commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.</p> <p>Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.</p>
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Una O'Neill
Senior Planning Inspector

19th March 2020

Appendix A

Barrie Hastings

Brian and Tara Leahy

Brian Ryan

Cluain Ard & Ringmeen Residents Group Vol 1, 2 and 3

Cobh Tidy Towns – Hendrick Verwey

Frank and Marie Leahy

Irish Water

Lee and Maeve Dance

Lorraine Peterson

McCutcheon Halley (Doyle Shipping Group)

Michael and Brid Frahill

Michael McCormack Cobh and Harbour Chamber

Michelle and Dominic Dunne

Robert Mullen

Stephen and Leilia Pender

TII

Vincent and Brenda O'Rourke

William and Louise Dunne