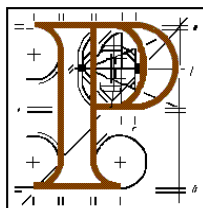


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork County**

**Planning Authority Reference: MSDZ127DRAFT**

An Bord Pleanála Reference Number: 04G.ZD.2012

**WHEREAS** the draft Monard Strategic Development Zone Planning Scheme was deemed to have been made by Cork County Council on the 11<sup>th</sup> day of August, 2015 under section 169(4)(b) of the Planning and Development Act, 2000, as amended,;

**AND WHEREAS** Monard Concerned Residents Group care of Michael Cronin of “Teach Teile”, Monard, Rathpeacon, County Cork and others appealed the decision of the planning authority in relation to the planning scheme:

## **DECISION**

**An Bord Pleanála decided under the provisions of section 169 (7) of the Planning and Development Act, 2000, as amended, to APPROVE the making of the planning scheme based on the reasons and considerations under and subject to the modifications 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

Having regard to:

- (a) the provisions of Part IX of the Planning and Development Act, 2000, as amended,
- (b) Statutory Instrument Number 540 of 2010 - Planning and Development Act, 2000 (Designation of Strategic Development Zone: Monard, Cork County) Order 2010,
- (c) national and strategic policy as set out in the National Spatial Strategy for Ireland 2002-2020, Transport 21 and Smarter Travel 2009-2020, and the Regional Planning Guidelines for the South West Area 2010-2022,
- (d) the Cork Area Strategic Plan (CASP) 2001-2020, as revised in 2008, jointly adopted by Cork City Council and Cork County Council,
- (e) the provisions of the Cork County Development Plan, 2014, including the Core Strategy contained therein,
- (f) the provisions of the Blarney Electoral Area Local Area Plan, 2011 (2<sup>nd</sup> Edition, January, 2015),
- (g) the requirements of Section 168(3) and 168 (3A) of the Planning and Development Act, 2000, as amended, and the provisions of article 179A of the Planning and Development Regulations, 2001, as amended,
- (h) the matters referred to in Section 169(8) of the Planning and Development Act, 2000,
- (i) the contents of the Environmental Report and Appropriate Assessment Screening Report and other accompanying documentation,

- (j) the existing pattern of development in the area, the effect the scheme would have on any neighbouring land, and the effect the scheme would have on any place which is outside the area of the planning authority,
- (k) the objections made to the proposed planning scheme,
- (l) the documents and submissions on file generally, and
- (m) the report and recommendations of the Inspector, who conducted an oral hearing,

the Board considered that, subject to the modifications set out below, the draft Planning Scheme complies with the relevant statutory requirements and provides for the comprehensive planning and sustainable development of the site in accordance with the requirements of the Strategic Development Zone designation. The Board concluded, generally in agreement with the reporting Inspector that the draft Planning Scheme as modified:

- provides for an appropriate development of housing and related uses which will have access to means of public transport and which will allow the coherent development of the wider Cork area,
- allows for an appropriate mix of land-uses, at development densities that are acceptable having regard to the location and character of the site,
- provides for adequate leisure, community, educational, and commercial facilities for future residents of the area,
- provides for adequate access to road, rail and other infrastructural facilities to service the area,
- allows for a suitable implementation mechanism which will prevent overloading of facilities by excessive development until necessary infrastructure has been delivered,

- puts forward a mechanism and suitable level of guidance to allow for the creation of an attractive built environment,
- makes provision for a variety of urban forms which will allow for variety and place definition, and
- makes provision for appropriate access and interconnection between the varied elements of the scheme.

The Board noted the Strategic Environmental Assessment process followed in the development of the draft Planning Scheme and noted the content of the Environmental Report. The Board took the foregoing into account in considering the draft Planning Scheme, and agreed with the Inspector that the relevant requirements of the Planning and Development Acts and the Planning and Development Regulations have been fulfilled with regard to the Strategic Environmental Assessment process.

The Board agreed and adopted the Inspector's report in relation to the screening for Appropriate Assessment under the Habitats Directive, and concluded that the draft Planning Scheme including the modifications, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site and, in particular, specific sites: Cork Harbour Special Protection Area (Site Code 004030), Great Island Channel Special Area of Conservation (Site Code 001058), The Gearagh Special Area of Conservation (Site Code 000108) and The Gearagh Special Protection Area (Site Code 004109) in view of the conservation objectives of these sites, and that a Stage 2 Appropriate Assessment (and the submission of a Natura Impact Statement) is not, therefore, required.

The Board, therefore, **approved the draft Planning Scheme, subject to the modifications set out below.** It is considered that the modifications made are not material, are minor in nature, and would not be likely to have significant effects on the environment or have a significant effect on a European site.

## MODIFICATIONS

### Modification 1

- (a) Except where further altered by modifications in this order, the draft Planning Scheme dated April, 2015 shall be modified by the inclusion of the drawings, plans and details contained in the 'Chief Executive's Reports to Members on Submissions Received' dated the 30<sup>th</sup> day of June, 2015 and the report entitled 'Recommended Changes arising from Chief Executive's Reports to Members on Submissions Received' dated the 17<sup>th</sup> day of July, 2015, as modified further by the details submitted by the Development Agency to An Bord Pleanála on the 14<sup>th</sup> day of January, 2016.
- (b) On adopting these changes, amendments are made to the version of the draft Planning Scheme issued by Cork County Council in July, 2015.

**Reason:** In the interest of clarity.

### Modification 2

Remove the following text from Paragraph 5.1.8, (Page 104)

*' . . . such an agreement being in place, with construction of houses under such permissions not to proceed until construction of a station is also underway'.*

Insert the following text into Paragraph 5.1.8, (Page 104) to replace the above.

*' . . . the railway station having been completed'.*

**Reason:** In the interest of clarity.

### **Modification 3**

The figures detailing the minimum and maximum number of dwellings permissible in the neighbourhoods contained in Sections 4.6 – 4.9 of the draft Planning Scheme shall be amended as necessary to correspond with the minimum and maximum number of dwellings set out in Table 4.2, Page 101 of the draft Planning Scheme.

**Reason:** In the interest of clarity.

### **Modification 4**

Insert the following as Paragraph 4.4.17 after Paragraph 4.4.16 (Page 46)

*'The spaces and facilities should be designed to ensure all members of society can access them'.*

**Reason:** To ensure a proper standard of development and access for all.

### **Modification 5**

Insert the following sentence at the end of Paragraph 6.1.6 (Page 117)

*'No development shall be permitted within the Monard Strategic Development Zone which would result in the overloading of the Killeens Wastewater Treatment Plant'.*

**Reason:** In the interest of public health and in the interest of clarity.

## **Modification 6**

Insert the following as Paragraph 6.1.9(A) after Paragraph 6.1.9 (Page 117)

*'While the preliminary reports on water supply and sewerage for Monard do not suggest that the inclusion of trunk mains or other infrastructure designed to serve both Monard and the Stoneview development would be advantageous, it is possible that due to change of circumstances, or for other reasons, Irish Water may wish to modify the proposals in those reports in a way which provides for some water services infrastructure serving both developments. Any such modified proposals will be subject to the same functional and environmental assessment requirements as the preliminary reports summarised above. Subject to that proviso, such modified proposals should not be regarded as inconsistent with this Planning Scheme'.*

**Reason:** In the interests of clarity and orderly development.

## **Modification 7**

Insert the following text at the end of Paragraph 7.6.4 (page136)

*'The park shall be provided in two stages as follows:*

- (1) The south-eastern part, to the south of the local road traversing the park, to be provided in tandem with development in Lower Monard (South).*
  
- (2) The northern part, to the north of the local road traversing the park, to be provided in tandem with development in Kilcronan (South)'.*

**Reason:** In the interests of clarity and orderly development.

### **Modification 8**

Amend Table 10.3: *'Summary table showing preconditions for development north of threshold lines, and facilities to be provided in association with each part of each village'* to reflect the requirements of Modification Number 7 above.

**Reason:** In the interest of clarity.

### **Modification 9**

Amend the title of 'Table 5.4 Quality and Potential of Transport links from Monard, by destination and mode, (Page 116) to read *Table 5.6 Quality and Potential of Transport links from Monard, by destination and mode* and the reference to this Table in Paragraph 5.7.1 on Page 116 shall also be amended to read Table 5.6.

**Reason:** In the interest of clarity.

---

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this     day of                                     2016.**