



An
Bord
Pleanála

Inspector's Report

Development: 19 Houses, demolition of structures, new vehicular entrance onto Church Hill Road and ancillary site works at Model Farm Road, Carrigrohane, Co. Cork.

Planning Application

Planning Authority: Cork County Council
Planning Authority Reg. Ref.: 16/4484
Applicant: Bunsen Investments Ltd.
Type of Application: Permission
Planning Authority Decision: Grant Permission

Planning Appeal

Appellant(s): Peter and Anne Quigley
Type of Appeal: Third Party V Grant
Observers: Fachtna O'Reilly
Date of Site Inspection: 21st October 2016
Inspector: Kenneth Moloney

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1.0 SITE DESCRIPTION

The appeal site is located on the eastern edge of Ballincollig, Co. Cork. The subject site adjoins the Model Farm Road to the south and Church Hill Road to the west. There is a playing field situated immediately to the north of the appeal site and agricultural fields adjoin the eastern boundary of the appeal site.

The subject site operated as a garden centre up onto recently however the site is currently vacant. There are some existing structures situated to the north of the appeal site. The size of the site is approximately 1.2407 ha (3.065 acres) and the shape of the site is approximately square.

The gradient of the subject site is generally flat and there is mature vegetation along the boundary throughout the perimeter of the site.

There are established suburban house types located on the opposite side of the Church Hill Road in the form of two-story detached houses. There is both agricultural fields and suburban type housing located on the opposite side of the Model Farm Road from the appeal site. I would consider that the general character of the immediate area can be described as a transitional urban–rural area.

2.0 PROPOSED DEVELOPMENT

The proposed development is for 19 dwelling houses comprising of 13 no. detached and 6 no. semi-detached. The proposed development also includes the demolition of all structures on the site and the provision of a new vehicular entrance onto Church Hill Road.

The following is a schedule of the proposed houses;

House Type	Type of Unit	Floor Area	No. of Units
A	4-bed detached	215 sq. m.	4
B	4-bed detached	221 sq. m.	4
C	4-bed detached	225 sq. m.	1
D	4-bed semi-D	169 sq. m.	4
E	3-bed semi-D	90 sq. m.	2
F	4-bed detached	219 sq. m.	1
G	4-bed detached	213 sq. m.	1
H	4-bed detached	220 sq. m.	2

The private open space is in the form of private rear gardens which have a range of orientations. The public open space provision for the proposed development is centrally located and includes a Local Play Area which measures approximately 400 sq. m. The proposed development also includes landscaping and boundary treatment.

Additional information was sought for the following;

- a. Sight line provision
- b. Details of the western boundary
- c. Details of sewer layout
- d. Storm water proposals
- e. Pumping for foul drainage
- f. Details regarding the foul pump station
- g. Increasing the size of the proposed play area
- h. Revised site layout details for south-eastern corner of site (house no. 11).
- i. Boundary details
- j. Construction access details
- k. Elevation details

Clarification of additional information sought for the following (a) clarification of the western boundary details, (b) clarification of whether tree no. 230 can be retained and reasons why tree no. 228 has to be removed, (c) details of storm water proposals, (d) access details and (f) provision of 1m 'overrun' space around all road edges.

3.0 PLANNING AUTHORITY'S DECISION

The Planning Authority decided to grant planning permission subject to 43 conditions.

The following is a summary of the principal conditions;

- Condition no. 2 – Development Contribution
- Condition no. 5 – Social Housing
- Condition no. 6 – Landscaping
- Condition no. 20 – 2 no. car parking spaces per house

Internal Reports: There are four internal reports on the file:

- Public Lighting; - No objections.
- Housing Dept. – No objections
- Estates Primary; - Additional information sought on a number of engineering issues.

- Area Engineer; - Irish Water to comment on Water Supply and Storm Water. Additional information sought for storm water proposals and sight distance.

Objections: There are eight third party objections on the planning file and the issues raised have been noted and considered.

Submissions: Irish Water recommends additional information requesting clarification in relation to the proposed sewer layout. There is a submission from IFI who question whether there is significant capacity within the public sewer for the proposed development.

4.0 PLANNING HISTORY

- L.A. Ref. 11/4090 – Permission **granted** for the proposed alterations and extension to existing Garden Centre Shop, new restaurant, new toilets and new entrance onto Church Hill.
- L.A. Ref. 03/1210 – Permission **granted** for retention and completion of ESB pylon.

5.0 DEVELOPMENT PLAN

The operational development plan is the Cork County Development Plan, 2014 – 2020.

Policy HOU 3-1 ‘Sustainable Residential Communities’ is relevant. This policy objective encourages residential developments that promote developments which prioritises and facilitates walking, cycling and public transport use and developments that are consistent with the provisions of the Sustainable Residential Development in Urban Areas, 2009.

The following policy objectives are relevant to the proposed development;

- HOU 3-2 Urban Design
- HOU 3-3 Housing Mix

Section 3.4 advises in relation to Housing Density

- Paragraph 5.5.2 sets out guidance in relation to public open space
- Paragraph 5.5.16 sets out guidance in relation to private open space

Chapter 14 ‘Zoning and Landuse’ sets out the zoning objectives as designated in the Local Area Plans.

6.0 LOCAL AREA PLAN

The operational Local Area Plan is the Macroom Electoral Area Local Area Plan, 2011. In accordance with the settlement map for Ballincollig the subject site is located within the settlement boundary.

The appeal site is zoned 'Existing Built-up Area'

Policy DB-03 states that it is an objective '*that all new development is located within the development boundary of the town established by this plan and which defines the extent of which Ballincollig may grow during the lifetime of the plan*'.

7.0 NATIONAL GUIDANCE

Sustainable Residential Development in Urban Areas, 2009

The Guidelines promote higher densities in appropriate locations. A series of urban design criteria is set out, for the consideration of planning applications and appeals. Quantitative and qualitative standards for public open space are recommended. In general, increased densities are to be encouraged on residentially zoned lands, particularly city and town centres, significant 'brownfield' sites within city and town centres, close to public transport corridors, infill development at inner suburban locations, institutional lands and outer suburban/greenfield sites. Higher densities must be accompanied in all cases by high qualitative standards of design and layout. These guidelines sets out guidance for the role of urban design in residential development, the development of sustainable residential schemes and advise on integrating residential development within small towns and villages.

8.0 GROUNDS OF APPEAL

Peter Quigley and Ann Quigley, a third party and residents of No. 1 Hayfield, lodged an appeal and the grounds of appeal are summarised as follows:

Density

- The scale of the proposed development fails to have regard to the character and location of the area.
- The applicant has failed to reduce the number of houses having regard to the the sightline provision and existing trees.
- It is submitted that the house located in the north-western corner and the south-western corner should be omitted.

Zoning

- It is contended that although the site is within the Ballincollig Area that the site is not entitled to housing development.
- The established uses on the eastern side of Church Hill Road should be taken into account when redeveloping the subject site.

Usage

- It is noted that the existing use on the site is a garden centre use and this is consistent with the green belt zoning objective on the adjoining site.
- It is submitted that the existing use which has been in place for an extended period should be acknowledged.

House Design

- It is contended that the height of the proposed development is excessive.
- It is submitted that the proposed development should be gradual to the green belt and the Ballincollig Area zoning objective.
- It is contended that the existing development to the east of Church Hill Road / Model Farm Road has largely been single storey and the proposed development should reflect this.

Traffic

- A speed survey has not been submitted in respect of traffic currently using Church Hill Road.
- The Church Hill Road is the road from which the traffic from the proposed development will enter onto.

Entrance for Access / Egress

- The proposed entrance / egress is a danger to the public.
- It is submitted that given the sight distance limitations that the entrance is not an appropriate location and therefore the proposed site layout is impaired.

Sight Lines

- It is contended that the sight line provision of 70m at a distance of 3m from the public road is insufficient for a new public road existing onto an existing public road.
- The proposed sightline provision is more appropriate for a private entrance which was the case in relation to decision PL04/239429.
- The applicants has stated that the proposed new vehicular entrance will be used for future connectivity to adjacent lands which further increases the need for sufficient sight lines in excess of 70 metres.

Boundaries of Site

- It is submitted that a proposed new boundary will intentionally have an adverse impact on existing trees.
- The existing boundary wall can be retained without any adverse impact on trees.
- The existing boundary will ensure the continued character and appearance of the location is retained.

Landscaping

- It is submitted that the proposed landscaping is inadequate and insufficient to replace significant existing trees.

- It is submitted that the proposed destruction of the trees should not be allowed.

Trees

- It is acknowledged that a report prepared by Total Tree Services, dated May 2016, submitted to the local authority gives clarity on the location, type and condition of such trees and confirms that such trees are suitable for retention.
- However this report does not outline the scale of these trees and the value that they add to the local area.
- It is contended that these trees can be retained should the existing boundary wall be used or should a new proposed boundary be used that protects the trees.
- The removal of trees along the western boundary of the proposed development is strongly objected to.
- It is submitted that the construction of a house in the South West corner of the proposed development is objected to given the adverse impact that the proposal will have on existing trees.
- These trees make a positive contribution to the local area.

Sewers and Services

- The proposed development does not give adequate protection to the over-intensification of usage of existing services.

Footpath

- It is submitted that a footpath along the perimeter of the western boundary of the site is not possible given the slight line, trees and the width of the existing public road.
- It is submitted that any footpath should be moved inward in an eastern direction.

9.0 OBSERVERS

The following is the summary of an observation submitted by **Fachtna O'Reilly**;

The proposed development will have a detrimental impact on the locality;

Zoning

- The area between Church Hill and Inchigaggin Lane has been designated green belt.
- The subject site was zoned commercial for the Garden Centre use.
- It is contended that the site was zoned to reflect the Garden Centre use.
- It is submitted that had the Garden Centre use not existed then it is likely that the site would not be zoned.
- The horticultural garden centre is consistent with the green belt zoning.
- Normally in this area Cork County Council only permits a house when an existing house is being demolished.

- It is contended that the granting of permission for a housing development on a hilltop on the edge of this strategic green belt is inconsistent with the Local Authority's previous approach to the area.

Height, Size and Density of the Proposed House

- It is submitted that the proposed roof ridge heights are 10.4m – 10.61m above ground level and the separation of houses is 2.8m and 2.2m when allowing for eaves.
- The roof ridge height for Hayfield on the opposite side of the public road ranges from 7.9m to 8.1m. These houses are heavily hipped and normal pitched roofs to reduce any visual bulk.
- The Hayfield houses are separated at ground level by 4-5m and the ridges by 12+ metres.
- The ridges of hayfield are also back from Church Hill road edge and due to the hipped roof, no high profile gable is exposed.
- Chelmsford Village has an A profile roof ridge between 7.9m to 8.1m but the houses are significantly spaced apart approximately 7m – 10m with ridges separated by 17m.
- The Hilton Housing estate has well separated houses of bungalows and standard two-storey units.
- It is submitted that all other housing units in the area comprise of one off or small estates consisting of bungalow, dormer, or low pitched two-storey roofs.
- The proposed height, density and scale of the proposed development is at odds with the character of the area.
- The proposed development will create a domineering visual wall on both on the north and south boundary of the site, blocking tree lines and visual features.
- It is submitted that the Council has previously only allowed restricted ridge heights.
- It is contended that the proposed development represents an overpowering 3-storey development (10.6m in height) adjacent to a green belt.
- It is submitted that the development should be refused permission as it runs contrary to the development of the area.

House Design Misrepresentation

- It is contended that the proposed houses are designed with 3 floors in mind.
- The attic is designed with a clear 2.4m ceiling height over a large area.
- The stairs / landings orientations are such to allow easy access to this space.
- The standard floor to ceiling height is 2.65m.
- Given the proposed height of 10.6m the proposed houses are 4-storeys high. It is submitted that the proposed houses are substantial properties.
- It is contended that the house designs allow for 3-storeys of habitable space. The purpose of misrepresenting the house is to avoid development contributions.

Deficiencies in Application Information Provided

- The site section views AA and BB are limited in their scope so as not to show the full detail, e.g. AA does not accurately show the neighbouring houses in Hayfield and also does not show the full road dimensions and boundaries which would indicate how close the development is to the road.
- The submitted Section B-B does not show the heights of the proposed house in relation to single storey houses.
- It is submitted that there will be a visual wall of 7 no. three-storey houses on one side of the junction and low single storey houses on the other 3-sides.
- It is submitted that no drawings / impressions or photographs were provided of the view of the development from St. Peters Church direction or from the Model Farm Road.
- The impact of the proposed development on the Model Farm Road has been ignored.
- The treatment of the trees in the south west corner is unclear.

Inappropriate Site Layout

- The proposed site layout is designed to maximise density at the expense of visual amenity.
- This will impact severely on no.s 5 – 10 Hayfield.
- No.s 3 and 4 Hayfield will be looking directly at a 10.6m high gable elevation.
- Other nearby estates such as Hilton, Hill Farm and Chelmsford Village have outer houses well screened or behind other pre-existing houses. The rear elevations are not readily visible.
- Any future two-storey domestic extensions are exempt.
- The proposed development should be refused as it allows the principle of uncontrolled visible development.

Traffic and Safety

- The Church Hill Road provides significant access as it links North Cork with the Coachford route with Bishopstown.
- It is submitted that there are established residential uses with access onto Church Hill Road, a primary school and the proposed development which provides an additional vehicular entrance onto the public road is significant.
- It is contended that the proposed development will significantly increase and complicate traffic movements on Church Hill.

Treatment of Existing Site Features, Environment and Boundaries

- The existing site boundary includes good fencing and dense hedging on the north and south boundary.
- The west boundary comprises of limestone stone ditch, hedge and mature specimen trees.
- It is contended that these boundaries form part of the established skyline running from Carrigohane Castle to Church Hill Cross.

- It is submitted that the proposed development will unnecessarily destroy these boundary features.
- The existing north/south boundary fencing will be replaced with a 2m high block wall. This will expose the site properties.
- The established hedge provides a 3m high dense screening of the site.
- It is normal planning condition to preserve all boundary treatments.
- It is submitted that the fences can be easily modified / adjusted to suit the new use as a residential boundary. The existing hedging will recover from any trimming necessary during works.
- It is submitted that the western boundary of the existing limestone ditch forms part of a continuous line running from St. Peters Church to Church Hill cross. This ditch bounded the original landholding.
- The proposed boundary treatment is an alteration to the original boundary treatment.
- It is submitted that the proposed footpath can run inside the limestone ditch or behind the hedge. This proposal will preserve the visual feature, provide a safe separation of the footpath carriageway and the preserve the character of the area.
- It is contended that the hedge on top of the stone ditch can move back into the site by 3m from the road edge to provide screening on the western boundary.
- The specimen trees are located 2 – 3m back from the edge of the road and thus will not interfere with the sightlines as they are 30-40m removed from the entrance and outside the sight triangle.
- It is submitted that the removal of this natural environment should amount to a refusal.

Precedent for future Development

- The development of the subject site will have adverse impacts of the adjoining green belt.
- There are farm buildings located to the east of the site which are integral to the adjoining farm land.
- The planning application refers to the redevelopment of this farm land for housing. This will create a precedent for future development.
- It is contended that the development of the site creates a clear precedent for the development of adjoining farm land.

10.0 RESPONSES

First Party Response

The following is a summary of a response submitted by the applicant's agent;

Density

- The proposed development is on lands zoned 'Existing Built Up Area' which does not have a specific density associated with it.
- Given the established pattern of development in the local area and the location of the site on the eastern periphery of the settlement boundary it was contended that the density proposed is consistent with 'Medium

B'. This view is shared by the Senior Executive Planner of the local authority.

- This is the lowest residential density as defined in the County Development Plan.

Zoning

- The site is zoned 'Existing Built Up Area' and is within the development boundary of Ballincollig.
- Objective ZU 3-1 of the Cork County Development Plan, 2014, provides for guidance of the zoning objective 'Existing Built Up Area'.
- The previous use on the site, i.e. garden centre, was a low intensity commercial use.
- The existing zoning objective does not limit redevelopment within these areas to the existing use of the site and clearly indicates that new development which is consistent with the primary land-use is acceptable.
- The principle of the proposed development has been fully considered by the Area Planner and Senior Executive Planner.

Design

- The proposed dwellings, including their height are designed to allow for a future loft conversion.
- The Senior Executive Planner has fully consulted with the County Architect and they have agreed that the height of the proposed development is acceptable.
- In addition the site is bounded by 2 sides of public roads and to the north and east by lands zoned as greenbelt with no adjacent occupied lands.

Traffic & Sight Lines

- The proposed access provides for a 70m sight line from a distance of 3m from the road edge.
- The applicant has confirmed in the additional information response that no structure or vegetation exceeding 1m in height will remain within the sight triangle.
- The Area Engineer confirms that they are satisfied with the sightline provision.
- It is submitted that based on the width of Church Hill Road that a traffic speed survey is not required or that traffic speeds are a concern.

Landscaping and Boundaries

- The removal of a small number of trees to achieve adequate sightlines was unavoidable.
- It is proposed that the existing mature tree at the entrance to Church Hill Road will be retained and that large specimen Lime Trees will replace those that need to be removed to facilitate safe sight lines.
- It is submitted that in order to provide safe access to the site some of the trees along the western boundary will need to be removed. These

trees will be replaced with semi-mature trees circa 5.5m in height to create an instant impact.

- It is contended that the replacement of the existing trees along the boundary will create an attractive boundary to the site.

Servicing

- The applicant has consulted with Cork County Council and Irish Water and all items relating to servicing the site have been resolved.

11.0 ASSESSMENT

The main issues to be considered in this case are: -

- Principle of Development
- Scale and Density
- Impact on Established Residential Amenities
- Landscaping
- Access / Traffic
- Services
- Appropriate Assessment

Principle of Development

The proposed development is for the construction of 19 no. two-storey houses on the eastern edge of Ballincollig, Co. Cork.

In accordance with the Spatial Settlement Strategy of the Regional Planning Guidelines, 2010 – 2022, Ballincollig is identified as a 'Gateway Town in Greater Cork Area'. The strategic aim of this planning area is to encourage the growth of population and employment in the Cork Gateway in order to create the necessary critical mass for the Gateway.

Policy objective RSS-02 of the Regional Planning Guidelines, 2010 – 2022, states that it is an objective '*to promote the sustainable development of the Cork Gateway as the economic driver of the region through targeted investment in infrastructure, sustainable and efficient transport modes and services, with a strong emphasis on achieving choice in location and modal shift targets, along with strengthening controls on urban generated housing in surrounding rural area*'. I would acknowledge that there is a regional policy objective to direct housing development into Ballincollig.

The appeal site is located within the Macroom Electoral Local Area Plan, 2011 and the subject site is located within the settlement boundary of Ballincollig. The appeal site is zoned 'Existing Built-up Area' in accordance with the provisions of the Local Area Plan.

The Cork County Development Plan, 2014, sets out the zoning objectives in the Local Area Plans and the relevant policy objective is ZU 3-1 'Existing Built Up Areas'. It is stated that that the objective of this land-use zoning is '*to normally encourage through the Local Area Plan's development that supports*

in general the primary land use of the surrounding existing built up area. Development that does not support, or threatens the vitality or integrity of, the primary use of these existing built up areas will be resisted.

Paragraphs 14.3.1 of the Cork County Development Plan, 2014, sets out an explanation for this zoning objective and it is stated that the purpose of this zoning objective is to allow a flexible response to development proposals for the re-use or re-development of underused land. In the current instance the appeal site is currently vacant and the established context of the immediate area, particularly to the west and south is established suburban housing. I would also note that paragraph 14.3.6 of the County Development Plan states that the inclusion of land within an existing built up area does not imply any presumption in favour of development or redevelopment, unless this would enhance the character and amenity of the area as a whole.

The Sustainable Residential Development in Urban Areas Guidelines, 2009, advises that development in smaller towns should be;

- plan led
- contribute to compact urban forms
- higher densities in appropriate locations
- offer alternatives to urban generated housing
- a scale of the development proportion to the pattern and grain of existing development

I would consider that the proposed development is generally consistent with this guidance.

In conclusion therefore I would consider having regard to the Regional Planning Guidelines, 2010 – 2022, which designates Ballincollig as a Gateway Town and the zoning objective of the appeal site, as outlined above, that there is a favourable presumption that the appeal site will be redeveloped for housing given the established context. As such I would consider the principle of the proposed development is acceptable provided that the subject development protects established amenities in the local area.

Scale and Density

Residential density is an essential tool in measuring the scale of the proposed development and I would consider that having regard to the Guidelines on Sustainable Residential Development in Urban Areas, 2009, that an acceptable density for a site within Ballincollig would range between 35-50 dwellings per hectare (i.e. 14 – 20 units to the acre). This is a general rule and depends largely on factors such as established context in the immediate area, existing public transportation and proximity to the city or town centre. The proposed development, comprising of 19 residential units on a site measuring approximately 1.2407 ha (3.065 acres) would amount to approximately 15.3 units per ha (6.2 units to the acre). This is a relatively low density in comparison to those recommended in the national guidelines. However the

appeal site is a peripheral site and these sites are referenced within the Cork County Development Plan.

The appeal site is considered a Medium 'B' density site in accordance with the provisions of the Cork County Development Plan, 2014. The Cork County Development Plan, states a density ranging from 12 units per hectare to 25 units per hectare for development sites which have a peripheral location identified in LAP's and are referred to as Medium 'B' density. Overall I would consider that the density of the proposed development is acceptable and not excessive given the peripheral location of the appeal site and the need for the proposed development to respect the urban – rural transition.

Paragraph 5.5.7 of the Cork County Development Plan recommends public open space provision of 12% to 18% for a development site excluding areas unsuitable for house construction. The County Development Plan outlines that in some cases exceptions maybe considered for smaller amounts of public open space when the private open space provision is of a high quality. I would note that paragraph 4.20 of the Sustainable Residential Development in Urban Areas Guidelines, 2009, recommends that in green field sites for which a local area plan is appropriate, public open space should be provided at a minimum rate of 15% of the total site area.

The overall size of the site is approximately 3.065 acres and the overall size of the public open space provision is 0.431 acres as such the overall public open space provision is approximately 14.7%. I would consider this an acceptable provision of public open space.

In relation to building height I would accept that the proposed houses are generally higher than typical 2-storey suburban houses. I would note that the maximum height of the proposed two-storey houses is 10.395m. However given the setting of the site, the proposed landscaping provision and the established built character, including the established design character of the two-storey houses in Hayfield, on the opposite side of the public road, I would not consider that the proposed heights would unduly impact on the character of the area. Therefore in conclusion I would consider that the scale and density of the proposed development is acceptable.

Impact on Established Residential Amenities

In terms of considering impacts on established residential amenities I would consider that potential impacts may include overlooking, overshadowing and visual impact.

However given the orientation and the separation distance of the proposed development in relation to established housing it is unlikely that overshadowing will be a significant issue.

In relation to visual impact I would acknowledge that the proposed development would represent a departure from the established use on the appeal site in terms of visual impact. In considering visual impacts of the

proposed development it is relevant to note that in accordance with the provisions of the Cork County Development Plan, 2014 – 2020, that neither the appeal site nor its immediate area is afforded any landscape protection. The roads in the immediate vicinity of the appeal site are not designated 'Scenic Routes' nor is the landscape of the appeal site or adjoining lands designated as a 'High Value Landscape', in accordance with the provisions of the County Development Plan.

Overall the proposed development would result in a changing visual impact for the established residents in the local area however the proposed 19 no. houses in my view would not be a significant change to the character of the area given the established character of the local area which is semi-suburban in nature.

In terms of overlooking potential I would be most concerned with House Type F and House Type C given their proximity to the side boundary and their proximity to established houses on the opposite side of the public road. The neighbouring established houses, i.e. Hayfield, orientate towards the appeal site, i.e. east facing and any first floor gable windows in proposed houses along the western boundary would potentially result in overlooking or perceived overlooking of established residential amenities. In this instance House Type F and House Type C both have first floor gable windows facing towards Hayfield. I would therefore recommend to the Board that these first floor windows are omitted, should the Board favour granting permission, by condition.

Overall I would conclude that the proposed development would not unduly impact on the established residential amenities in the local area given the established context.

Landscaping

In terms of landscaping the proposed development involves the retention of some established mature trees along the eastern boundary and a single mature tree along the western boundary.

I would note from the submitted Arborist report which accompanied the additional information response (dated 31st May 2016) that all the mature trees surveyed on the existing site are in good condition. However it is proposed that all the mature trees along the western boundary shall be removed. In relation to the trees along the eastern boundary it is proposed that these trees shall be pruned. I would acknowledge the submissions from the appellant and observer in relation to the established mature trees along the western boundary however the loss of these mature trees relates directly to the provision of adequate sightline provisions.

In order to achieve the adequate sightline provisions for the proposed vehicular entrance it is proposed to remove 4 no. mature trees along the western boundary of the appeal site. This is illustrated in the submitted proposed site plan (drawing no. 15168/P/003). I would acknowledge that the

subject mature trees contribute to the character of the area and also offer screening potential however the sightline provision would, in my view, justify the removal of the mature trees.

Access

The proposed vehicular access onto the Church Hill Road has a sightline provision of 70m in either direction from a set-back distance of 3 metres. I would note that the report from the Area Engineer, dated 21st June 2016, considers this sightline provision satisfactory.

The Church Hill Road is semi urban / rural in character and located in the immediate proximity to the proposed vehicular entrance there is a vehicular entrance serving playing fields and an entrance serving an established housing estate.

I would also note that the junction of Church Hill Road and Model Farm Road is located approximately 80 metres from the proposed vehicular entrance to serve the proposed 19 no. houses.

I would consider that the applicant has adequately demonstrated that the traffic generation associated with the proposed development, during both construction and operational phase, would not adversely impact on the established road network.

Services

It is proposed that the proposed development will be served by the established foul drainage network. The applicant has demonstrated to the satisfaction of Cork County Council that there is sufficient capacity within the existing foul drainage network to accommodate the proposed development. It is also proposed to use the existing public water main serving the public road adjoining the subject site. I would note that Irish Water, in their correspondence, have confirmed that this is acceptable. The proposed water proposals include an attenuation tank and the diversion of surplus surface water to the existing foul drainage network. Overall I would consider that the services for the proposed development are considered acceptable.

Appropriate Assessment

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely an outer suburban and fully serviced location, no appropriate assessment issues arise.

12.0 RECOMMENDATION

I have read the submissions on the file, visited the site, had due regard to the development plan and all other matters arising. I recommend that planning permission be granted for the reasons set out below.

REASONS AND CONSIDERATIONS

Having regard to the appeal sites location within a designated Settlement Boundary and the sites zoning objective 'existing built-up area' in accordance with the Macroom Local Area Plan, 2011, and the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009), the pattern of development in the area and the overall scale, design and layout of the proposed development it is considered that, subject to compliance with the conditions set out below the proposed development would not seriously injure the amenities of property in the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out in accordance with the plans, particulars, documents lodged with the application as amended by revised plans, particulars and further information received by the planning authority on the 31st May 2016 and 12th July 2016, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity

2. The proposed development shall be amended as follows;
 - a. the first floor windows in the western elevation of House Type C and House Type F shall be omitted.

Revised plans showing compliance with the above requirement shall be submitted to the planning authority for written agreement prior to the commencement development.

Reason: In the interest of protecting established residential amenities.

3. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

4. Prior to commencement of development, a management scheme providing adequate measures relating to the future maintenance of roads, footpaths, open spaces, and communal areas in a satisfactory manner shall be submitted to the planning authority for agreement.

Reason: To ensure the adequate future maintenance of this private development in the interest of residential amenity.

5. Prior to commencement of development, proposals for development name, unit numbering scheme and associated signage shall be submitted to the planning authority for written agreement. The name(s) shall reflect the history or topography of the area.

Reason: In the interest of orderly development.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

7. The internal road network, public footpaths within and outside the proposed development site, public lighting to service the proposed development shall comply with the requirements of the planning authority.

Reason: To ensure a satisfactory standard of development.

8. All existing services (electricity, telephone, etc) adjacent to and within the development shall run underground.

Reason: In the interest of visual amenities.

9. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

10. Prior to commencement of development, a landscaping scheme shall be submitted to the planning authority for agreement. This scheme shall include details of all existing trees and hedgerows on the site, specifying those proposed for retention, together with measures for their protection during the period in which the development is carried out. The site shall be landscaped in accordance with the agreed scheme, which shall also include a timescale for implementation.

Reason: In the interest of visual amenity.

11. Prior to the commencement of development, the developer shall submit details of all boundary treatment for the agreement of the

planning authority. This shall include boundaries between rear gardens and boundaries to the exterior of the site.

Reasons: In the interest of residential privacy.

12. The areas shown as public open space on the lodged plans shall be reserved for such use and shall be soiled, seeded, levelled and landscaped in accordance with a detailed scheme, including a timetable for implementation, to be agreed with the planning authority.

Reason: In the interest of the amenities of the occupants of the proposed housing.

13. Prior to the commencement of development the developer shall submit a full and detailed construction management plan which shall include a construction programme for the works, hours of operation, a traffic management plan, noise and dust mitigation measures (including details of truck wheel wash at the site entrances) and details of construction lighting. A Construction Manager shall be appointed to liaise directly with the council. Details to be agreed in writing with the Planning Authority.

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

14. That all necessary measures be taken by the contractor to prevent spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

15. Prior to the commencement of development the developer shall submit, and obtain written agreement of the planning authority to, a plan containing details of the management of waste (and, in particular, recyclable materials) within the development including the provision of facilities for the separation and the collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

Reason: To provide for appropriate management of waste and in particular, recyclable materials, in the interest of protecting the environment.

16. Within eight weeks of the date of this order, the developer shall enter into an agreement with the planning authority under Section 96 of the Planning and Development Act, 2000 (as amended) in relation to the provision of social and affordable housing, in accordance with the requirements of the planning authority's housing strategy, unless, before the expiry of that period, the said

developer shall have applied for and been granted an Exemption Certificate under Section 97 of the Planning & Development Act 2000.

Reason: To comply with the requirements of Part V of the Planning and Development Act, 2000 (as amended).

17. Prior to the 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 of satisfactory completion and maintenance until taken in charge by the planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning 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 security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanala.

Reason: To ensure satisfactory completion of development.

18. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Kenneth Moloney
Planning Inspector
18th November 2016