



An
Bord
Pleanála

Inspector's Report PL.04.249396

Development	Residential development, construction of 19 no. houses and associated site works.
Location	Coolflugh, Kerry Road, Tower, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	17/06005
Applicant(s)	Whitebon Developments Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First and Third Party
Appellant(s)	Whitebon Developments Ltd. and Concerned Residents.
Observer(s)	None
Date of Site Inspection	25 th January 2018
Inspector	Kenneth Moloney

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	5
3.1. Planning Authority Reports	5
3.2. Third Party Observations	7
4.0 Planning History.....	7
5.0 Policy Context.....	7
6.0 Local Area Plan	8
7.0 National Policy	8
8.0 The Appeals	9
9.0 Responses.....	15
10.0 Assessment.....	19
11.0 Recommendation	27
12.0 Reasons and Considerations	27

1.0 Site Location and Description

- 1.1. The subject site is located approximately 1.5km north west of Tower. Tower is a small village settlement located approximately 3.5 km west of Blarney in north County Cork.
- 1.2. The size of the appeal site is approximately 1.762 ha (4.35 acres) and the shape of the subject site is irregular.
- 1.3. The subject site and the immediate area is rural in character. Although the local area is rural there is a sporadic spread of houses situated within the locality of the appeal site.
- 1.4. There is an existing single storey house situated on the appeal site and the remainder of the site, except for a storage yard adjoining the house, is agricultural land.
- 1.5. The agricultural land is used for grazing livestock.
- 1.6. There are several established houses situated adjacent to the southern boundary of the appeal site.
- 1.7. There is also an existing house situated along the northern boundary of the appeal site and this is a newly built house
- 1.8. The gradient of the site falls approximately from south to north.
- 1.9. The boundary of the appeal site comprises of mature hedgerows.

2.0 Proposed Development

- 2.1. The proposed development comprises of 19 no. detached houses. The proposed development also includes alterations to a site boundary of an existing house. The proposal incorporates the existing house to the development. This existing single storey detached house has an established vehicular entrance onto the public road and it is proposed to retain this entrance.
- 2.2. The public open space to serve the proposed development is situated in two locations within the site. There is an area of the public open space located centrally within the proposed development site. This public open space is overlooked by proposed houses to the east, south and west.

- 2.3. The second parcel of public open space is situated adjacent to the north-east boundary of the appeal site. This area of public open space is overlooked by proposed houses to the immediate west.
- 2.4. A play area is proposed within each of the two public open spaces.
- 2.5. The private open space provision is in the form of rear gardens.
- 2.6. The following table sets out a schedule of the proposed houses within the development;

House Type	Type of Unit	Floor Area	No. of Units
A1	4-bed detached 2-storey	190.6 sq. m.	4
A2	4-bed detached 2-storey	190.6 sq. m.	2
B1	4-bed detached 2-storey	185.4 sq. m.	3
B2	4-bed detached 2-storey	185.4 sq. m.	4
C1	4-bed detached dormer	204.8 sq. m.	3
C2	4-bed detached dormer	204.8 sq. m.	2
D1	4-bed detached 1-storey	96 sq. m.	1

- 2.7. It is also proposed to provide 4 no. additional vehicular entrances onto the public road.
- 2.8. The car parking provision to serve the proposed development is off street and there are two spaces per dwelling.
- 2.9. The proposed development will be served by public water main and public sewer.

3.0 Planning Authority Decision

Cork County Council decided to **grant** planning permission subject to 43 no. conditions. The following conditions are relevant to the appeals.

- Condition no. 3 – omit house no. 1
- Condition no. 4 – omit house no. 6
- Condition no. 5 – omit house no. 7
- Condition no. 6 – omit house no. 10
- Condition no. 7 – omit house no. 14
- Condition no. 8 – omit house no. 18

3.1. Planning Authority Reports

3.1.1. The main issues raised in the planner's report are as follows;

Area Planner

- The site is zoned for development however the appeal site is removed from any settlement.
- An amendment to the Local Area Plan indicated that the lands should facilitate 13 no. dwellings. The proposal is more than this figure.
- It is contended that the 19 no. units is excessive given the rural location of the site.
- The density proposed is at odds with the local area.
- 13 no. dwellings are recommended.
- The location of the social and affordable unit is unacceptable. This unit should be integrated within the development.
- A total of 5 no. vehicle entrances will be placed along a 105m stretch roadway.

- No storm water shall be allowed flow onto the public road.
- It is contended that the gate to the front of the site provides for a gated development which is unacceptable and gives rise to difficulties in relation to taking in charge.
- The submitted visual images make it hard to measure the exact impact of the proposed development.

Senior Executive Planner

- Chapter 14 of the County Development Plan refers to zoning objectives and policy objective ZU 2-2 and ZU3-1 are relevant.
- Areas for existing built up areas will be considered in relation to the character of the surrounding area.
- The current site is located within the settlement boundary in the new Local Area Plan.
- The proposal shall have regard to Sustainable Residential Development in Urban Areas, 2009, and the accompanying urban design guide. In particular context and connections.
- The current proposal is excessive for the site.
- The recent designation by elected members provided for 13 no. houses on the site.
- It is therefore considered that a lower number of houses on the site would be acceptable.
- Housing Department recommends that the Part V house provided will now be located on site no. 3 and the house shall be reduced to 70 sq. metres.

3.1.2. Estates; - No objections but the following comments 1) the number of proposed entrances on the public road should be reduced (2) the developer to confirm whether the development will be gated.

- 3.1.3. Public Lighting; - Additional information recommended to address several issues.
- 3.1.4. Housing; - It is proposed to transfer one house in accordance with Part V. No objections to the transfer however the unit proposed is too large. A target floor area for a two-bedroom unit is 70 sq. metres.
- 3.1.5. Submissions; - There is a submission from Irish Water and Inland Fisheries who have no objections.

3.2. **Third Party Observations**

There is one third party submission and the issues raised in this submission are similar and generally identical to the issues raised in the third-party appeal and summarised below. I have noted and considered all the issues raised in the third-party objection to the Local Authority.

4.0 **Planning History**

The following is a summary of the site history;

- L.A. Ref. - 00/1958 – Outline planning permission **granted** for the demolition of dwelling and construction of 3 no. dwellings.
- L.A. Ref. - 80/1037 – Permission **granted** for the development of a residential development.

5.0 **Policy Context**

5.1. **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 Blarney Macroom Electoral Municipal District Local Area Plan, 2017, and the appeal site is in an area zoned 'Settlement Boundary'.

7.0 **National Policy**

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. Chapter 6 sets out guidance for residential development in small towns and villages. Appendix A of this document sets out guidance for measuring residential density.

8.0 The Appeals

8.1.1. Third Party

The following is the summary of a third-party appeal submitted by Concerned Residents C/O Con Hayes.

- The zoning provision for the subject site is unusual.
- The housing target for Tower is 182 units in the current Local Area Plan.
- There are three contiguous extensions to Tower development boundary.
- It is suggested that the three contiguous extensions to the Tower development boundary should receive priority for the 182 housing units. The size of these contiguous extensions is suitable to accommodate the housing target.
- The appeal site is an isolated greenfield site situated 1.2km from Tower Village.
- The extension to the zoned boundary is not contiguous.
- The zoning of the appeal site raises serious concerns in relation to planning policy and rational decision making.
- There is no other village in the county with such a zoning and the current appeal site is setting a precedent. Appendix 1 demonstrates the isolated nature of the subject site.
- The foul and water infrastructure are not immediately available. The nearest access is approximately 8km away.

Road Safety

- The proposal gives rise to road safety issues with the proliferation of vehicular entrances.
- The stretch of road between the cemetery car park and the southern end of the proposed development is a particularly dangerous stretch of road.
- This section of road has a continuous white line which is due to the raising gradient. This is illustrated in Appendix 2 of the submission.
- It is submitted of all the proposed vehicular entrances that the proposed main entrance offers best sightline provision. However even this sightline provision is the poorest in a 2km stretch from Tower Village to the Blarney Golf Resort.
- The following is recommended;
 - The proposed estate shall have a single vehicular entrance.
 - The existing entrance to the established bungalow shall be closed and the entrance to serve this bungalow shall be provided from within the development.
 - The reduction in units from 19 to 13 provides additional space for safe access and egress onto the Kerry Road.
 - The front boundary shall comprise of rubble stone construction in line with the dwelling house north of sites no. 1 and no. 2.
 - A 2.4m wide footpath shall be provided along the entire site as a safety measure.
 - Screening hedges of suitable height shall be provided inside the stone rubble wall to minimise visual impact. This should be a condition of any permission.
 - The speed limit between the cemetery and Tower cross-roads shall be 50kmph and shall be monitored by electronic speed limits.
 - The introduction of light controlled pedestrian crossing to link the proposed development with the footpath on the western side of

the public road. This footpath provides a link between the cemetery and Tower village.

Main Sewer

- The main public sewer terminates approximately 800m from the proposed house on site no. 1.
- The following is recommended;
 - The proposed new sewer shall accommodate all the houses on the Kerry Road including all houses on Buckers Lane.
 - The proposed extension should be brought up the existing footpath rather than the public road for the following reasons. (i) the road has a good wearing surface presently, (ii) potential subsidence in the footpath would be low due to loading and this has a future cost implication, (iii) the potential line would be much closer to most of the houses, (iv) a single spur would accommodate all the house in Buckers Lane, (v) the management of the traffic flow during construction would be less disruptive with the eastern side of the road available at all times, (vi) the replacement of the old water mains would be made possible at reduced costs, (vii) future maintenance would be less disruptive.
 - A spur to the inside of each boundary should be provided.
 - The bungalow north of site no. 1 is a special case and a cross-boundary link to the proposed internal estate should be considered.
 - The extension to the main sewer should take place prior to commencing any development on the subject site.

Water

- It is submitted that an analysis of the water mains both in relation to the adequacy of the supply and the quality of the mains pipe should be undertaken.
- The following is recommended;
 - The old existing pipe from the pumping station to the terminal shall be replaced with a new pipe.
 - A measurement of existing and additional water loads shall be carried out.
 - The replacement of the old pipe should take place at the same time of the extension as it is cost effective.
 - Each household should be provided with a spur to allow for future connection.
 - The spur shall be free of charge but any internal changes to be borne by the householder.
 - The provision of water harvesting should be provided in the new development.
 - The upgrading of the water supply should be undertaken prior to any development.

Visual Impact

- The existing boundary wall north of site no. 1 shall be increased in height to a level acceptable to the owners. A planning condition should reflect this.
- The existing ditch along the southern boundary of the proposed new estate should be appropriately screened with suitable hedging. A planning condition should reflect this.
- The existing rubble stone wall and its rich foliage screening along the full road frontage of the proposed new shall be protected. This would include alterations to provide for the footpath and the vehicular entrance.

8.1.2. First Party

HWPlanning, Planning Consultants, submitted a first party appeal on behalf of the applicant. The appeal submission outlined the reasons for the appeal, the proposed development and context, the planning authority's decision, the policy background for Tower and the grounds of appeal. The following is a summary of the main grounds of appeal.

Introduction

- The appeal relates to conditions no. 2, 3, 4, 5, 6, 7 and 8 of the Local Authority permission.
- The relevant Local Area Plan was adopted in August 2017.
- The Board will note that the residential density must be in accordance with local and national policy.
- The reduction in the number of housing units from 19 no. houses to 13 no. houses for the reasons the '*elected members reasoning for the modifications that the lands should facilitate in the region of 13 no. dwellings*' is unsound.
- The proposed density is appropriate and in compliance with local and national policy objectives.

Grounds of appeal

- The CSO online tool ([//census.cso.ie/sapmap/](http://census.cso.ie/sapmap/)) provides details of urban boundaries.
- The boundary defined for Tower includes the appeal site. This is indicated in Figure no. 2 of the submission.
- Between 1971 and 2006 the CPO referred to census towns as a '*cluster of fifty or more occupied dwellings where, within a radius of 800 metres*'
- A census town was redefined prior to the 2006 census.
- The CSO boundary for Tower is based on a scientific approach.
- There is a significant grouping of houses adjacent to the cemetery.

- The proposed residential development will have connections to foul sewer and public water mains. Irish Water have no objections to the proposed development.
- The public footpath and public lighting has been recently upgraded along the Kerry Road from Tower Village to the subject site.
- Tower is well served by two public bus routes. These bus routes connect Tower to major employment centres including Blackpool and Mahon.
- Tower provides a good range of commercial uses.
- The existing village centre will be easily accessible to motorists, cyclists and pedestrians from the site of the proposed development.
- It is submitted that the existing Willison Park housing estate is located further from the village centre than the proposed development.
- The Planning Authority's submission that the appeal site is remote from the existing settlement is unsound.
- The proposed density for 19 no. units on the subject site is 10.8 units per ha. It is contended that this density is consistent with Section 6.3 (d) of the Guidelines for Planning Authority's on Sustainable Residential Development in Urban Areas.
- The proposal will offer an alternative to urban generated housing in accordance with Section 6.3 (d) above.
- It is submitted that the Local Authority decision to reduce density from 19 no. units to 13 no. units is unjustified on policy grounds and represents an inefficient and unsustainable use of zoned and serviced land within the metropolitan settlement of Tower.

9.0 Responses

First Party Response

The following is the summary of a response submitted by HW Planning on behalf of the applicant;

Zoning

- It is contended that the subject site is not removed from the Tower settlement as the site forms part of the existing built up area of Tower.
- The subject site is located within the CSO definition for the urban boundary of Tower.
- St. Senan's cemetery to the west marks the extent of the settlement boundary.
- Footpaths and public lighting have been recently upgraded along the Kerry Road from the subject site to Tower village centre.
- Tower is well served by two public bus routes. These bus routes connect Tower with major employment centres including Blackpool and Mahon.
- Tower provides a good range of commercial uses.
- The existing village centre will be easily accessible to motorists, cyclists and pedestrians from the proposed development.
- It is submitted that the existing Willison Park housing estate is located further from the village centre of Tower than the proposed development.
- The proposed development will be connected to the existing foul sewer and public water supply.
- It is submitted that any assertions that the site is remote from urban settlement is unfounded.
- In relation to sequential development arguments it is submitted that the subject site is available to develop immediately. The subject site will contribute to addressing housing shortage immediately.

- It is submitted that the applicant had no control over the development boundary and the reasons why other lands were not included within the development boundary. This might reflect issues in relation to non-availability.

Road Safety

- It is submitted that concerns regarding traffic safety and management were comprehensively addressed in the Engineering Design Report prepared by MHL & Associates Consulting Engineers.
- It is contended that the proposed development will improve road safety of the Kerry Road.
- All proposed vehicular entrances can achieve a 70m sightline provision at a set back distance of 2.4m from the edge of the road. This is in accordance with DMRB design standards.
- The proposed vehicular entrances will not result in a traffic hazard or obstruction to road users.
- The introduction of traffic calming at the cemetery will improve road safety.

Access to main sewer

- The proposed foul sewer extension will be carried out in accordance with Section 3 of the Department of Environment and Local Government publication 'Recommendations for Site Development Works for Housing Areas' and the Board will note that Irish Water have no objections to the proposed development.
- Any issue with connecting individual houses to the public water mains is the responsibility of Irish Water.

Access to Water Main

- Conditions no. 34, 35 and 38 requires the applicant to secure agreement with Irish Water and the Planning Authority in relation to water supply connections and upgrading to the existing water mains.
- Issues in relation to availability and quality of supply are matters for Irish Water.

Visual Impact

- The proposal will not result in any adverse visual impacts.
- Requests for boundary treatment can be dealt with in accordance with Condition no.s 21, 39 and 42.
- These conditions require the applicant to agree details with the landscaping and boundary.

Third Party Response

The following is the summary of a response submitted by the third-party appellants.

- It is submitted contrary to the applicant's assertion that there is a planning history on the subject site. Appendix 1 of the submission illustrates the planning history on the subject site.
- It is difficult to understand any justification for upgrading Tower from 'key village' to 'main settlement'.
- Any definition of a town boundary by CSO has no planning rational. The CSO based their definitions on townlands.
- It is the function of the Local Authority using their professional planning staff to analysis the population figures from CSO and determine town boundaries.
- It is submitted that Figure 1 in the applicant's appeal submission carries no weight as it was not adopted by the Council.

- Most of the land between the existing appeal site and Tower settlement are green fields with steep slopes and should be retained as greenbelts.
- Housing developments have been largely confined to the Cloghroe-Tower-Blarney valley lands thus minimising intrusion to the countryside. This gives a highly attractive scenic character of beautiful rolling hills which must be retained.
- The details for including the appeal site within the settlement boundary are included in Appendix 4.
- The appellants are in favour of providing housing for local employers including Apple which is located within proximity to Tower.
- It is submitted that the granting of planning permission for 13 no. dwellings on the subject site needs much more rigorous conditions.
- In relation to water supply the adequacy of the water supply needs to be established. The waste water is currently 800m from the site and the extension of this infrastructure is a major project allowing for the steep incline from the connection point to the site.
- It is misleading to refer to Tower as a town centre. There is limited commercial uses within Tower.
- The footpath from Tower to the cemetery is on a steep incline and would need a major upgrade to meet safety standards to service the proposed housing development.
- The footpath connection is currently on the western side of the Kerry Road and would present difficulties for pushing a pram as it is very narrow in sections and not properly surfaced in parts.
- There are ESB poles located along the footpath which also present difficulties for pedestrians.
- It is submitted that many contiguous areas within the Tower development boundary have the essential infrastructure in-situ and should receive priority.
- It is contended that there is adequate available land to provide for the housing targets. The LAP for Tower envisages the delivery of 182 housing units and

there is sufficient contiguous land zoned capable of accommodating this amount.

- A housing development at Bawnafinney received planning permission in 2008 for 140 housing units.
- Blarney is capable of accommodating 3,555 units while the housing target number is 2,566 units for Blarney.
- Kerry Pike has two major housing projects near completion within its development boundary.
- It is submitted that when considering the 66 houses for the hamlet at Courtbrack just north of Blarney and the very large estates under construction in the Old Quarter in Ballincollig it is reasonable to claim that the housing provision in terms of fully serviced sites is more than adequate.

10.0 Assessment

Introduction

The first party appeal submission challenges several conditions in the grant of permission by Cork County Council. This includes conditions no. 3, 4, 5, 6, 7 and 8. The third-party appeal largely appeals the principle of the development. I would consider given the nature of the appeals that the Board should consider the proposed development de-nova. I would consider that the main issues for consideration are as follows;

- Principle of Development
- Residential Density
- Residential Amenity
- Impacts on Established Residential Amenities
- Visual Impact
- Access / Traffic
- Services

- Appropriate Assessment

10.1. **Principle of Development**

- 10.1.1. In considering the principle of the proposed development, it is important to have regard to local, county and national policy guidance.
- 10.1.2. The operational local area plan is the Blarney Macroom Municipal District Local Area Plan, 2017, and the appeal site is located within the settlement boundary of Tower. Although the appeal site is located within the designated settlement boundary the subject site is not zoned for a specific land-use. Policy Objective DB-01 of the Local Area Plan, 2017, is relevant to the appeal site and this policy states that '*within the development boundary encourage the development of up to 182 additional dwelling units during the plan period*'. As such the proposed development providing for 19 no. dwellings would be consistent with this policy objective.
- 10.1.3. The Cork County Development Plan, 2014, sets out the zoning objectives in the Local Area Plans and the relevant policy objective is ZU 2-2 'Development Boundaries'. It is stated that the objective of this land-use is '*for any settlement, it is a general objective to locate new development within the development boundary, identified in the relevant Local Area Plan that defines the extent to which the settlement may grow during the lifetime of the plan*'. I would accept that Policy Objective ZU 2-2 is logical however it is notable from a visual observation of the local area and the Blarney Macroom Municipal District Local Area Plan, 2017, zoning map, that the appeal site is not contiguous to settlement boundary. Although the appeal site is located within the designated settlement boundary the appeal site is separated from the main settlement by approximately 1km.
- 10.1.4. Section 6.3 of the Sustainable Residential Development in Urban Areas Guidelines, 2009, advises that development in smaller towns should;
- contribute to compact urban forms

- 10.1.5. It is arguable whether the proposed development would contribute to a compact urban form given the separated nature of the site from the main settlement boundary of Tower and given that it would effectively leap-frog undeveloped sites.
- 10.1.6. Section 6.7 of the Sustainable Residential Development in Urban Areas Guidelines, 2009, advise that the overall order and sequencing of development of small towns and villages must avoid significant so called 'leap-frogging' where development of new residential areas takes place at some remove from existing contiguous town / village and leading to discontinuities which militates against proper planning and development. The development plan guidelines, 2007, advocate a sequential approach in terms of designation to avoid a haphazard and costly approach to the provision of social and physical infrastructure.
- 10.1.7. It is also worth noting that the central theme and objective in the recently published national policy document 'NPF 2040' encourages a more compact form of development. This is evident in Section 2.6 where it is stated that *'an increase in the proportion of more compact forms of growth in the development of settlements of all sizes, from the largest city to the smallest village, has the potential to make a transformational difference. It can bring new life and footfall, contribute to the viability of services, shops and public transport, increase housing supply and enable more people to be closer to employment and recreational opportunities, as well as to walk or cycle more and use the car less'*.
- 10.1.8. Overall I do not consider that the applicant has adequately demonstrated the inherent advantages of locating the proposed residential development in a removed site from the main settlement boundary of Tower, effectively in a rural fringe location considering that there is available land zoned for development within the main settlement boundary and closer to the main amenities of the village centre.

10.1.9. Based on the above national guidelines I would have concerns with the proposed development given its location in relation to the main settlement boundary. It is my opinion, that there is sufficient availability of zoned lands within the main settlement boundary that could easily accommodate such a residential development of size and scale proposed. The proposed development would therefore be contrary to national guidelines and would therefore be contrary to proper planning and sustainable development of the area.

10.2. **Residential Density**

10.2.1. The proposed development, including the house to be retained on the appeal site, provides for 20 no. residential units on a site measuring 1.762 ha. Therefore, the residential density is 11 dwellings / ha. The local authority granted permission for 13 no. dwellings and allowing for the existing house this would therefore permit a residential density of 8 dwellings / ha.

10.2.2. Paragraph 3.4 of the County Development Plan sets out guidance in relation to density standards. Policy Hou 4-1 'Housing Density on Zoned land' of the Cork County Development Plan, 2014 – 2020, sets out the recommended housing density range in high, medium and low density locations. In accordance with the County Development Plan policy guidance the appeal site would be characterised as a 'smaller town' and thereby density is defined as 'Medium B'. The relevant density range for residential in these areas is 12 – 25 units / ha. I would note that smaller towns in Medium B settlements would have a minimum density of 12 units / ha and densities of less than 12 units / ha will be considered where an exceptional market requirement has been identified.

10.2.3. In relation to the Sustainable Residential Development for Planning Authorities, 2009, I would consider that paragraph 6.12 is most relevant to the proposed development. Paragraph 6.12 recommends that on the edge of small town / villages 15-20 dwellings per hectare are recommended. It is possible to consider densities of

less than 15-20 dwellings per ha along or inside the edge of smaller towns and villages if such lower density development does not represent more than about 20% of the total new planned housing stock of the small town or village in question. The target housing provision for Tower, in accordance with the Local Area Plan, is 182 housing units and as such 36 no. units in total could be produced at a density lower than 15 units / ha.

10.2.4. The Board will note from the documentation on the file that the elected members passed a motion in relation to the appeal site and paragraph 2 of this motion stated that *'these lands are 1.73 ha and will facilitate in the region of 13 dwellings in a well-planned project'*.

10.2.5. I would consider that a residential density of 11 units / ha would be appropriate for the subject site, however the lower permitted residential density of 8 dwellings / ha would be inappropriate, in my view, having regard to the national guidelines.

10.3. **Residential Amenities**

10.3.1. In terms of residential amenities for future occupants I would note from the submitted plans, that the proposed houses would provide generous private open space provision in the form of rear gardens.

10.3.2. I have estimated that the public open space provision for the proposed development is between 17% - 19% of the site area which is a generous provision as paragraph 4.20 of the Sustainable Residential Development in Urban Areas Guidelines, 2009, recommends a minimum public open space provision of 15% for green-field sites. The proposed development is therefore more than this provision.

10.3.3. I have referred to the floor areas at the proposed houses in paragraph 2.6 above. The proposed floor areas are generous and would offer a good standard of residential amenity for future occupants.

10.3.4. Overall the proposed houses would provide a good standard of residential amenity for future occupants.

10.4. **Impacts on Established Residential Amenities**

10.4.1. In terms of considering potential impacts on established residential amenities I would consider that the context is the most relevant consideration. The character of the local area near the appeal site is strongly rural in character. There is a line of rural houses, i.e. houses on individual sites, located on the opposite side of the public road from the proposed development. There is an existing house located to the immediate west of the appeal site and there is a small cluster of houses located to the immediate east of the appeal site.

10.4.2. I would note from the submitted site plan that all the proposed houses are set back reasonable distances from the established houses and would not directly overlook any established residential amenities. Overall the separation distances of opposing rear windows would exceed the recommended 22 metres as per paragraph 7.4 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas Guidelines, 2009, and therefore I would not consider that overlooking is a significant issue. In addition, the proposed development includes boundary treatment which will screen any potential overlooking.

10.4.3. There is a house located to the immediate north east of the proposed development site. This house is a recent construction and having regard to the topography the house is located at a lower level than the site of the proposed development. However, the submitted site plan indicates that the public open provision is situated in the north-east corner of the proposed development and therefore any potential adverse impacts on the established residential property would be low.

10.4.4. Overall I would conclude that having regard to the rural character of the local area, the relatively low density of the proposed development that the proposed

development would not have a significant impact on established residential amenities.

10.5. **Visual Impacts**

10.5.1. The character of the local area is predominately rural. I have reviewed the Cork County Development Plan, 2014 – 2020, landscape polices and the appeal site is not afforded any landscape protection. The appeal site is not located adjoining or within proximity to a designated 'Scenic Route' nor is the appeal site located within a 'High Value Landscape'. The planning application was accompanied by an outline visual impact study. I would conclude from this documentation that the proposed development would not have any significant adverse impact on the local environment.

10.5.2. The most significant feature in terms of visual impacts, in my view, is the relationship of the proposed development with the adjoining Kerry Road. I note from the submitted 'Landscape Master Plan' that the front boundary treatment includes existing sod and stone wall and a 1.8m high weldmesh fence located behind this and beyond this fence screen planting is proposed. The proposed development also includes the introduction 4 no. vehicular entrances along the front boundary of the appeal site. This will change the character of the front boundary. However, I would note that the Local Authority includes a condition in relation to the boundary treatment and I would recommend a similar condition, should the Board favour granting permission.

10.5.3. In conclusion, I would consider that the proposed development would not adversely impact on the character of the local area or the visual amenities of the local area.

10.6. **Access / Traffic**

10.6.1. The speed limit along the Kerry Road adjoining the appeal site is 50 kmph. I note Section 4.4.4 'Forward Visibility' of DMURS, 2013, sets out Stopping Sight Distances (SSD). The SSD on a road with a design speed of 50kmph is 45 metres. The

submitted drawings indicate that all 4 no. proposed vehicular entrances will have a sightline provision of 70m in either direction. I noted from my site inspection that the alignment of the Kerry Road was good and that the sightline provision from the existing vehicular entrance on the subject site was generally good. In addition, I note that the Local Authority has no objections to the proposed sightline provisions.

10.6.2. However, the report from the Estates, dated 18th September 2017, considers that the introduction of 4 no. vehicular accesses along the Kerry Road is excessive. In this regard I would note that Cork County Council in granting permission omitted housing unit no. 1 and this would reduce the number of vehicular access points from 4 no. entrances to 3 no. entrances. There are also several established vehicular entrances on the opposite side of the public road.

10.6.3. I would conclude given that the proposed development is within a 50kmph zone and given that the sightline provision for each proposed entrance exceeds the minimum requirements that the proposed 3 no. entrances are acceptable.

10.7. **Services**

10.7.1. It is intended that the proposed residential development will be served by public water main and the public sewer albeit an extension to the public sewer.

10.7.2. I would note that Irish Water, in their submission, have no objections to the proposed development. The internal report from Estates Primary also outline no objections to the proposed development.

10.7.3. Overall I would conclude, based on the information available, that issues in relation to water supply and foul sewage are acceptable to serve the proposed residential development.

10.8. **Appropriate Assessment**

- 10.8.1. 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.

11.0 **Recommendation**

- 11.1. I have read the submissions on the file, visited the site, had due regard to the County Development Plan and the Blarney Macroom Municipal District Local Area Plan, 2017, and all other matters arising. I recommend that planning permission be refused for the reason set out below.

12.0 **Reasons and Considerations**

The proposed development which provides for residential development on a greenfield site in a peripheral location removed from the settlement of Tower, Co. Cork on zoned land, in accordance with the Blarney Macroom Municipal District Local Area Plan, 2017, 'Settlement Boundary' would be contrary to the National Planning Framework 2040, and the Sustainable Residential Development in Urban Areas Guidelines, 2009 where it is the objective to consolidate urban areas and minimise urban sprawl. The proposed development would give rise to the "leap-frogging" of residential zoned lands closer to the village centre and would therefore be contrary to the National Planning Framework which seeks to reinforce the key roles of larger and smaller towns and villages in achieving balanced regional development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Kenneth Moloney
Planning Inspector

6th March 2018