



An
Bord
Pleanála

S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report on Recommended Opinion

ABP-300025-17

Strategic Housing Development

Ten-year permission for 159 units (56 dwellings and 3 apartments), crèche, doctor's surgery, play areas including multi-use games areas and all associated infrastructure and services and all other ancillary development works.

Location

Johnstown/Kilahora, Glounthaune, Co. Cork

Planning Authority

Cork County Council

Prospective Applicant

O'Mahony Developments Ltd.

Date of Consultation Meeting

27th November 2017

Date of Site Inspection

20th November 2017

Inspector

Una Crosse

1.0 Introduction

- 1.1. Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1. The subject site comprises approximately 7 hectares and is regular in configuration. It is located at the eastern edge of Glounthaune approximately 1km from the village core defined by the cross roads at the church and 500m from Glounthaune Train station. It is adjoined to the north by Killahora gate lodge, currently in poor repair. To the south the site directly abuts the former N25 now the L-3004. To the east there is a narrow country road beyond which, addressing the L-3004 there is an Amber petrol station, a number of residential properties and a restaurant further east known as the Elm Tree. To the west of the site there is a large field with a residential dwelling set back from the road and further west, a residential development currently under construction. Glounthaune is served by the Cork – Cobh and Middleton rail services with frequent services into Cork Kent station which takes c. 10 minutes.

3.0 Proposed Strategic Housing Development

- 3.1. A ten-year permission is sought for the proposed development.
- 3.2. The proposal comprises 159 residential units, 156 dwellings and 3 apartments with the following mix: 16 two-bed units (10%), 87 three-bed units (56%), and 53 four-bed

units (34%). 3 of the units are apartments, 42 units are terraced or townhouses, 92 are semi-detached and 22 units are detached.

- 3.3. A crèche and healthcare facility with an approximate area of 400 sq.m is proposed to the south east of the site and which also accommodates the 3 apartments.
- 3.4. Landscaping and amenity areas with 1.46 hectares of open space (0.6 ha of passive and 0.86 ha of active open space), including a multi-use games area,
- 3.5. All associated infrastructure including part of a new link road connecting the L-3004 with the Johnstown Close estate to the northwest. Pedestrian and cyclepaths are shown on the site layout plan on the public road outside of the site but it is not clear how or who will deliver same.
- 3.6. It is proposed to connect to the existing 225mm diameter public sewer to the south west of the site. It is proposed to connecting to the existing 150mm diameter water main located along the public road. It is proposed to connect to the existing 400mm diameter storm water outfall to the south east of the site which outfalls to the Estuary following on site attenuation.
- 3.7. It is proposed to transfer 15 properties to comply with Part V.

4.0 Planning History

- 4.1. **Ref. 14/6679 (PL04.244987)** – Permission refused on appeal for 40 dwellings and a neighbourhood play area for 5 reasons which are summarised as follows:
 - i. Site is located at a significant remove from and in an isolated location relative to Glounthaune village.... distance of over one km to village amenities, along the former Cork to Middleton national road, from an access point where the speed limit is 80 km/h, would constitute poor connectivity to the village and to community facilities;
 - ii. Interfere with the safety and free flow of traffic and would endanger public safety by reason of traffic hazard and the obstruction of road users
 - iii. Proposed design approach would effectively constitute the first element of a 126-house scheme, and does not constitute a single 40-house scheme in the context of the specific provisions of the Local Area Planthe layout would compromise the potential for the future development of the remainder of the lands to be carried out in

accordance with the intended small-grain development pattern set out in the Guidelines and the Local Area Plan.....fail to integrate with the character and pattern of development in Glounthaune village, on the border of the Metropolitan Green Belt.

- iv. Inadequate site analysis, resulting in a poor design concept that is unimaginative in its form, scale and layout, is effectively grid-like in pattern, and fails to appropriately cluster residential units around usable green space.....not satisfied that the proposed internal road and junction layout would not result in a car-dominated layout, or provide an environment appropriately designed for pedestrians.
- v. Proposed boundary treatments would seriously compromise the stated intention to retain the mature trees, are deficient in giving any meaningful consideration to the distinctive and historic boundary features, and would fail to appropriately respect the existing character of the site.

The Board Direction notes that since the previous grant of permission in 2008 that a significant level of national planning policy guidance has been published, and in coming to its decision, the Board had regard to the provisions of that guidance, including the following:

- the Guidelines for Planning Authorities on “Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)” issued by the Department of the Environment, Heritage and Local Government (2009),
- the “Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government (2009), which is a companion document for the above Guidelines, and
- the “Design Manual for Urban Roads and Streets”, issued by the Department of the Environment, Community and Local Government, and by the Department of Transport, Tourism and Sport (2013).

The direction also outlined further considerations in respect of the reasons for refusal outlined above.

- 4.2. **Ref. 06/13608 (PL04.233061)** – permission granted for 256 no. dwellings, crèche, community centre and recreation/amenity facilities.

5.0 National and Local Planning Policy

5.1. Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant S.28 Ministerial Guidelines are:

- 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- 'Design Manual for Urban Roads and Street'
 - Sustainable Urban Housing: Design Standards for New Apartments (2015)
- 'Childcare Facilities – Guidelines for Planning Authorities'
 - Architectural Heritage Protection Guidelines for Planning Authorities.

5.2. Statutory Plan for the area

The site is within the village of Glounthaune, designated as a key village in the recently adopted Cobh Municipal District LAP 2017. The site is zoned residential. The stated vision for Glounthaune in the LAP is to secure a significant increase in the population of the settlement. This is sought by way of balancing the maximisation of the sustainable transport benefit offered by the railway station with development appropriate to the character, setting and scale of the village. It is noted that the most recent development has been located at the eastern end of the lower village to the northeast of the railway station.

The Plan expressly states that new development in Glounthaune over the next ten years should not exceed 400 units in total. It is required that new development ensure that any new development is in proportion with the pattern and grain of existing development. Table 4.2.1 included at Section 4 of the LAP in respect of key villages notes that the existing number of units in Glounthaune is c.561. It is also stated in the LAP and referenced at Table 4.2.1 that any new individual housing schemes should not normally exceed 40 units. However, in the footnote to this table it is stated that *“Individual schemes in excess of the recommended scale set out in the above table may be considered where it is demonstrated that the overall scheme*

layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement”. It is stated that the land to the north and to the south east of the village is considered suitable for residential development with the eastern side of Glounthaune considered to have the potential for further housing development. General objectives for key villages are set out at GO-01 (pg 168 of the LAP).

There are a number of specific development objectives as follows: U-01 requires the provision of a new link road. The Plan states at Section 4.5.11 in relation to this new road, that this road is a key piece of infrastructure that will allow for a more integrated and co-ordinated form of development in the eastern part of Glounthaune. It is considered that it will enhance connections between existing and proposed development and avoid the development of isolated and car dependent estates.

To the south of the site, along the public road there is a special development objective for the provision of pedestrian and cycle path U-02. Section 4.5.12 of the plan states that developments in this part of Glounthaune will need to be delivered in tandem with improvements in pedestrian and cycle connectivity with the train station. These improvements (U-02) should take the form of dedicated and segregated cycle paths and appropriate pedestrian facilities in both directions between the new development and the train station. Additional traffic calming on this stretch of road should also be considered, it is stated. The 50kmph speed limit has been extended to the Amber petrol station.

It is stated at Section 4.5.13 that developments shall generally fall within the Medium B density range set out in the Cork County Development Plan, 2014. Medium Density B (12 – 25 per ha net) as set out in Section 3.4 of the Cork County Development Plan 2014.

6.0 Forming of an Opinion

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the **documentation submitted** by the prospective applicant; **the planning authority submission** and the discussions which took place during the

tripartite **consultation meeting**. I shall provide a brief detail on each of these elements hereunder.

6.1. **Documentation Submitted**

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, a Completed Application Form; Cover Letter, Site Location Plan, Site Layout Plan, Statement of Consistency, Pre-planning minutes, Confirmation of Feasibility from Irish Water.

Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. These statements have been submitted, as required. The applicants case is summarised as follows:

- Glounthaune identified for significant population and housing targets;
- Layout addresses Board's previous concerns addressing requirement for small grain development pattern;
- Scale based around four neighbourhood character areas averaging 40 units to be phased/developed over a 10-year period to allow incremental expansion;
- New pedestrian and cycle links from the site to the village centre and new road connection through the site to connect to lands to northwest and potential connections to other lands;
- Speed limit amended with new 60kmph at site entrance;
- Scheme provides important social/community services.

6.2. **Planning Authority Submission**

In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Cork County Council, submitted a

note of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 20 November 2017. The report of the planning authority can be summarised as follows:

- Minutes of Section 247 meeting attached;
- Planning history of site and nearby lands outlined;
- Proposal must address refusal reasons in previous decision;
- LAP vision for settlement to secure significant increase in population balancing maximising sustainable transport benefit with development appropriate to character, scale and setting of the village – thi is a key consideration;
- Achievement of 400 units in the settlement requires development of this site;
- Whether adequate connectivity provided a key issue to be addressed;
- Impact on mature trees and stone boundary walls important considerations;
- Layout appears to embody the key principles of the Guidelines and Design Manual;
- Board need to consider if adequate public open space provided with necessary surveillance;
- Need to ensure home zones not lost in the scheme and require delineation;
- Need to demonstrate that housing mix complies with polices;

6.3. The Consultation Meeting

A section 5 Consultation meeting took place at the offices of Cork County Council on the 27th November 2017, commencing at 11:30 am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

The main topics raised for discussion at the tripartite meeting were as follows:

1. Principle of Proposal, Scale and Phasing;
2. Development Strategy for the Site including: Density, Layout and Open Space.
3. Connectivity, Transportation, Access and Traffic.
4. Boundary Treatment.

5. Any other matters

An Bord Pleanála sought further elaboration/discussion of the following:

- Principle of Proposal, Scale and Phasing – the justification for the proposal in light of its location vis-à-vis the village core and train station; the LAP policy in respect of the number of units appropriate to any single application and the proposal to seek a ten-year permission and the phasing and delivery of units.
- Development Strategy for the Site including: Density, Layout and Open Space – justification was considered necessary for the density proposed particularly in light of the proximity of the site to a high quality public transport corridor and the provisions in the Sustainable Residential Density Guidelines in relation to public transport corridors. The quality of the finish was also addressed.
- Connectivity, Transportation, Access and Traffic – the matter of the delivery of the proposed pedestrian footpath and cycleway was discussed with the Planning Authority stating that development on the site was dependent on the provision of a footpath.
- Boundary Treatment – the need to present clear proposals for the treatment of site boundaries in particular the front boundary.
- Any other matters – the matter of surface water management and attenuation on site was addressed as was the requirement to provide a construction management plan.

Both the prospective applicant and the planning authority were given an opportunity comment and respond to the issues raised by the representatives of ABP.

7.0 Conclusion and Recommendation

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the

planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory development plan for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the following elements: density and connectivity details of which are set out in the Recommended Opinion below.

Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act:

requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

8.0 Recommended Opinion

An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

Density

1. Further consideration/justification of the density in the proposed development, having regard to, inter alia, the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) as they refer to small towns and villages. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density, layout and open space of the proposed development.

Connectivity

2. Further consideration of the documents as they relate to pedestrian and cycle facilities connecting the proposed development with Glounthaune village and Glounthaune Train Station. In this regard, the delivery of the pedestrian and cycle facilities relative to the delivery of the proposed dwelling units on the site, should be addressed in detail. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A detailed phasing plan for the delivery of the proposed development should be provided.
2. Details relating to boundary treatment should include cross-sections of all boundaries.

3. A detailed construction management plan for the site with particular regard to surface water discharge.
4. A site layout plan clearly indicating what areas are to be taken in charge by the Local Authority.

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. The Minister for Culture, Heritage and the Gaeltacht (for archaeological heritage protection, architectural heritage protection and nature conservation)
2. The Heritage Council
3. An Taisce
4. Inland Fisheries Ireland
5. Irish Water
6. Transport Infrastructure Ireland
7. Coras Iompair Éireann

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Una Crosse
Senior Planning Inspector

December 2017