



An
Bord
Pleanála

Inspector's Report ABP-300128-17

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| Development | Construction of residential development of 40 no. 2 storey dwelling houses and all ancillary site development works. |
| Location | Lackenroe, Ballynaron, Glounthaune, Co. Cork |
| Planning Authority | Cork County Council |
| Planning Authority Reg. Ref. | 17/5699 |
| Applicant(s) | Bluescape Ltd. |
| Type of Application | Permission |
| Planning Authority Decision | Grant Permission |
| Type of Appeal | Third Party |
| Appellant(s) | <ol style="list-style-type: none">1. William and Michelle Cashman2. Patrick Casey and Claire Casey3. Conor O'Brien4. Brock & Claire Lewin5. KM Springall |

| | |
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| Observer(s) | <ol style="list-style-type: none">6. Sean and Marie Flanagan7. Terence Fleming8. Paul McDermott9. David and Judy Connell1. James Barrett2. Partick O'Byrne3. Bernadette Fleming and Others4. Johnstown Residents Association5. Madeleine O'Byrne6. The Lackenroe Residents Group7. Jacqueline Farrell, Shea Fahy & Others8. Glounthaune Tidy Towns9. Carol Harpur & Others10. Raymond and Helen Kenny |
| Date of Site Inspection | 22 nd February 2018 |
| Inspector | Fiona Fair |

Contents

| | |
|--|----|
| 1.0 Site Location and Description | 4 |
| 2.0 Proposed Development | 5 |
| 3.0 Planning Authority Decision | 5 |
| 3.1. Decision | 5 |
| 3.2. Planning Authority Reports | 5 |
| 3.3. Prescribed Bodies | 6 |
| 3.4. Third Party Observations | 6 |
| 4.0 Planning History..... | 7 |
| 5.0 Policy Context..... | 10 |
| 5.1. Development Plan..... | 10 |
| 5.2. Natural Heritage Designations | 12 |
| 6.0 The Appeal | 12 |
| 6.1. Grounds of Appeal | 12 |
| 6.2. Applicant Response | 23 |
| 6.3. Planning Authority Response | 27 |
| 6.4. Observations | 27 |
| 6.5. Further Responses..... | 28 |
| 7.0 Assessment..... | 30 |
| 8.0 Recommendation..... | 44 |
| 9.0 Reasons and Considerations..... | 45 |
| 10.0 Conditions | 45 |

1.0 Site Location and Description

- 1.1. The appeal site is situated in the settlement of Glounthaune, a small rural village 10km East of Cork City and 6 Km west of Carrigtwohill. Located on the northern side of the N25 a short distance to the north east of the Eastgate Business Park at Little Island.
- 1.2. The site is located in an elevated position approx. 0.5 Km to the north of Glounthaune Village on the eastern side of the Knockraha road. It is approx. a 10-minute walk to the village and the train station is located 1.5Km south east of the site. It measures 3.5 ha in area and is taken from a larger landbank under the control of the applicant.
- 1.3. The site which comprises open agricultural fields, is predominantly surrounded by housing to the west, north and south. It is located to the rear of a line of predominantly one-off dwellings that front the Knockraha Road. A narrow spur of land / laneway, extends for approx. 70 m, from the north of the site and affords access to the Kilahora County Road. To the east of the site are open fields (under the control of the applicant). There is a low-density housing estate 'Cois Chuain', which largely comprises of a range of large detached two storey houses, located directly opposite the proposed new vehicular entrance to the site (on the opposite side of the Knockraha Road). Access to the local primary school is via this estate. There is a protected structure (Anne Mount House) located to the south.
- 1.4. Topographically the site rises from west to the east (+61m-93m OD approx.) but also falls towards the south. The elevated nature of the site provides impressive views to the south towards Lough Mahon and Harpers Island. It is located between two designated scenic routes.
- 1.5. The planning and design statement submitted with the application states: 'the proposed development represents the first phase of a masterplan where approx. 200 no. residential units can be provided over the coming years.'
- 1.6. The village has a national school, a playground, a convenience shop, a church, a pub and a community centre. A railway station on the Cork to Cobh line serves the

village. There is direct access to the N25 National Primary Route that runs directly into Cork city centre.

2.0 Proposed Development

2.1. The development proposes the construction of 40 number dwelling houses consisting of the following:

- 20 number four bedroom detached houses, Types A, B, C1, C2, D1 and D2
- 10 number three bedroom semi-detached houses, Types E and F
- 10 number four bedroom semi-detached houses, Type G

2.2. The proposed development makes provision for the upgrade of the Knockraha road and access to the proposed development will be via a signalised junction with Cois Chuain, with a pedestrian access to the country road to the north of the site.

3.0 Planning Authority Decision

3.1. Decision

Consequent to further information being requested with respect to Layout (width of spine road, traffic calming, linking footpaths and play areas, additional car parking for visitors, measures to make the pedestrian route safe, public lighting, how change in level is incorporated into the design, boundary treatment) Part V, Amenity (useable open space), Storm Water (existing system is at full capacity) and Public Lighting, Planning permission was Granted subject to 55 number conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planners report is favourable of the proposed development. It is stated: 'The village of Glounthaune is small scale and has an attractive rural setting. Housing development here is generally low density. Yet it has rail access to the city. In light of this, some significant development is appropriate while protecting its landscape setting'. The net density proposed of 13 units / ha is

considered low but acceptable. It falls within the 'Medium B' density requirement as set out under S3.4.2 of the current CDP (12-25 per ha) and is appropriate given the topography of the site, the infrastructural concerns and the low-density nature of surrounding development.

3.2.2. Other Technical Reports

- The Engineering Report, subsequent to F.I has no objection subject to conditions.
- The Estates Engineers Report, subsequent to F.I has no objection subject to conditions.
- Public lighting Report, subsequent to F.I has no objection subject to conditions.
- Traffic and Transport Report, subsequent to F.I has no objection subject to conditions.
- Housing Department subsequent to F.I has no objection.

3.3. Prescribed Bodies

- I note the letter on file dated 25th January 2017 from Irish Water (IW) which states: 'pre connection inquiry' ... '240 no. houses development at Annemount, Glounthaune, Co. Cork' ... 'we wish to advise you that subject to a valid connection agreement being put in place, your proposed connection to the Irish Water network can be facilitated.'
- IW report on file, dated 04 August 2017, indicates no objection to the proposed development.

3.4. Third Party Observations

A number of third party submissions were received. The issues raised are similar to those raised in the third party appeal, summarised in detail, below.

4.0 Planning History

- **Reg. Ref. 14/6534** Permission refused (Jan 2015) for a dwelling house and on – site treatment plant on a small section of the site close to the proposed new entrance. It was deemed premature pending the completion of a masterplan as well as the visual impact of the proposal
- **PL04.225634 / Reg. Ref. 07/9457** Permission refused (2008) for 29 houses with 29 outhouses, ESB substation, ancillary landscaping including play area.

The reason for refusal stated:

‘The appeal site is located in an area zoned O-01 for which the zoning objective is for ‘open space, sports, recreation and amenity’ use as set out in the Blarney Electoral Area Local Area Plan, September 2005. This zoning objective is considered reasonable. Notwithstanding the low density of housing proposed, it is considered that the proposed development consisting of a residential estate would contravene materially the zoning objective for the site and would, therefore, be contrary to the proper planning and sustainable development of the area’.

- **PL04.220231 / Reg. Ref. 06/9531** Outline Permission refused (March 2007) for split level dwelling house. Reasons for refusal related to piecemeal development which would conflict with the zoning objective and seriously injurious to visual amenity and rural character of the area.

Adjoining History of Relevance

PL04.244987 / Reg. Ref. 14/06679 Permission Refused (September 2015) for construction of 40 no. houses and all associated site development works at Johnstown, Killahora, Glounthaune, Co. Cork.

Inspectors Note: The Board in this instance overturned the draft decision of the planning authority and the Planning Inspectors recommendation to grant planning permission. Reasons for Refusal set out below:

1. Notwithstanding the historical development pattern of Glounthaune village, the residential zoning objective for the site as set out in the Glounthaune Local Area

Plan (Blarney Electoral Area Local Area Plan 2011), or the planning history of the site, it is considered that this site is located at a significant remove from and in an isolated location relative to Glounthaune village. It is considered that the distance of over 1 km to village amenities, along the former Cork to Midleton 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. The proposed development would, therefore, result in an isolated living environment and a car-dependent residential development that would fail to provide for the orderly expansion of the village, having regard also to the undeveloped nature of residentially-zoned lands considerably closer to the village core. It is therefore considered that the proposed development would contravene the provisions of the Guidelines for Planning Authorities on “Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)” issued by the Department of Environment, Heritage and Local Government (2009), which gives as a key overall message that new development should contribute to compact towns and villages, sets out the importance of the sequential approach, and provides that residential schemes should provide for effective connectivity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed access for a housing development, at a location where the former Cork to Midleton national road has a speed limit of 80 km/h, would 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, arising from the traffic-turning movements generated by the proposed development of 40 houses.

3. The Guidelines for Planning Authorities on “Sustainable Residential Development in Urban Areas (Cities, Towns & Villages)” issued by the Department of Environment, Heritage and Local Government (2009), indicate concern in relation to the impact on villages of rapid development and expansion, and particularly, the impact of large housing estates and a standardised design approach on the character of smaller towns and villages that have developed slowly over time. The Guidelines recommend that the scale of new residential schemes should be in proportion to the pattern and grain of existing development. Sections 8.4.1 and 8.4.2 of the Local Area Plan for Glounthaune (as set out in the Blarney Electoral Area

Local Area Plan, 2011) reflect this guidance. Objective DB-01(b) of the Local Area Plan requires that “no one proposal for residential development shall be larger than 40 housing units”, and Objective DB-01(d) requires new development to be sympathetic to the character of the village. It is considered that the proposed design approach indicated on file would effectively constitute the first element of a 126-house scheme, and does not constitute a 40-house scheme in the context of the specific provisions of the Local Area Plan and the rationale set out for those provisions. It is also considered that the subject scheme is not separable in practical terms from the overall plan for the lands and that, considered in isolation, the subject 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. The proposed development would, therefore, fail to integrate with the character and pattern of development in Glounthaune village, on the border of the Metropolitan Green Belt, would contravene the provisions and objectives of the Local Area Plan, and of the said Guidelines, and would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The “Urban Design Manual – a Best Practice Guide” issued by the Department of Environment, Heritage and Local Government (2009), sets as a key design criterion that development should evolve naturally in response to its surroundings. It is considered that the proposed development has been subjected to an 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. Furthermore, the Board is 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. It is considered that the proposed development would inadequately reflect the character and setting of the subject site, would fail to contribute positively to the character and identity of Glounthaune village and would, therefore, contravene Objective DB-01(d) of the Local Area Plan for Glounthane, would contravene the provisions of the said Best Practice Guide, and would be contrary to the proper planning and sustainable development of the area.

5. The subject landholding is bounded by mature trees on all sides, stone walls to the east, and a double-height sod-and-stone ditch to the south. The proposed boundary treatments include new walls and timber-panel and paladin fencing, and proposals on the southern boundary for retaining walls with railings over. It is considered that the 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. It is therefore considered that the proposed development would result in serious injury to the visual amenities of the area and of the subject site, would risk the loss of its principle features of character, and would be contrary to the proper planning and sustainable development of the area.

5.0 Policy Context

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

5.1. Development Plan

5.1.1. Cork County Development Plan 2014

Glounthaune is identified as a ‘Key Village’ in the CDP. Policy CS 3 – 2 of the CDP outlines the strategic aim of Key Village settlements

Policy HOU 3 – 1 promotes sustainable residential communities especially through the location of residential development to optimise sustainable modes of transport and integrate positively with existing facilities.

Policy SC 5 – 2 promotes the provision of high quality open space in residential developments

Appendix A of the County's Recreation and Amenity Policy offers standards for public open space provision in residential developments.

5.1.2. **Cobh Municipal District LAP (August) 2017**, excerpts attached as Appendix to this report.

In the newly adopted LAP the X-01 zoning designation has been removed and the site has been included within the existing 'built up area' for Glounthaune.

The Plan outlines the vision for Glounthaune as a 'Key Village' but also its strategic role in Metropolitan Cork up to the year 2023 and beyond. The site is part of the existing 'built up area'.

Paragraph 4.5.1 describes the vision for Glounthaune to 2023 is to secure a significant increase in the population of the settlement 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 to retain and improve local services and facilities and to strengthen infrastructure provision.'

Table 4.2.1 sets out Appropriate Scale of Development for Key Villages

Objective GO-01 outlines general objectives for Key Villages in the Municipal District.

5.1.3. **Blarney Electoral Area Local Area Plan 2011 (updated 2015)** – This Plan is pertinent to the application as it was the relevant Plan in place prior to the new Cobh LAP being adopted.

It sets out that Glounthaune has experienced moderate population growth over the past decade. As a result of this population increase and its location on the Middleton to Cork railway line it has been ear marked for further population growth.

Glounthaune is identified as a 'Key Village' in the Blarney Electoral Area Local Area

Plan 2011. Table 2.5 of the plan targets that 400 no. units be constructed in Glounthaune between the years 2010 – 2020. Of all the settlements designated as 'key villages' within the Electoral area, Glounthaune has been identified as the settlement which will accommodate the greatest residential expansion.

The site was zoned in the 2011 LAP and had the benefit of Special Policy Area Objective X-01. The X-01 zoning objective provides for the following:

- a) Having regard to the provisions of DB-01 b) it is an objective to facilitate the development of a minimum of 100 dwellings on this site through the preparation of a masterplan, to be completed by the developer.
- b) The masterplan will pay particular attention to:
 - Provision of adequate connectivity with the train station and village core for pedestrians
 - Provision of appropriate open space and recreational facilities
 - Provision of connectivity to the main road
 - Improvements to the road network serving the lands from the village core

5.2. Natural Heritage Designations

Great Island Channel Special Area of Conservation (SAC) (site code 1058) and Cork Harbour Special Protection Area (SPA) (site code 4030) are located some 660m distant.

The planning officer carried out AA Screening and his report concludes that potential for significant impacts on the SPA and SAC can be ruled out.

6.0 The Appeal

6.1. Grounds of Appeal

Nine third party appeals have been submitted by William and Michelle Cashman, Patrick Casey and Claire Casey, Conor O'Brien, Brock & Claire Lewin, KM Springall, Sean and Marie Flanagan, Terence Fleming, Paul McDermott and David and Judy

Connell. They are collectively summarised as follows, with specific residential amenity concerns of appellants set out in detail:

6.1.1. **General**

- The applicants have not shown sufficient title to the lands to support the application.
- No letter of consent to making an application has been submitted. Therefore, the application is invalid
- There has been no engagement with the local community.
- Inadequate planning application documentation submitted.
- There is a need for a collaborative Masterplan for the area.

6.1.2. **Over Development**

- Density of development is excessive
- Glounthaune consists of circa 506 residential dwellings, a development of this scale could almost double the population of this small rural village and would represent a 47% increase in the housing stock on this one scheme alone.
- This proposal does not match the scale and grain of existing development
- The land given its prominent position and remote location to the train station should be low density housing of 20 houses.
- Disingenuous to suggest, as it is in the planning report, that it is a 'standalone' application for 40 houses.
- The application purports to be for 40 no. houses whereas throughout the supporting material both submitted to and generated by Cork County Council, it is accepted that this is a development of >200 houses and the 40 no. houses mentioned are simply phase 1
- The concentration of 50 % of the houses allowed for in the Local Area Plan for Glounthaune to be sited in Lackenroe, one of the most unsuitable sites in the area due to drainage, visual impact and traffic access, doesn't make

strategic sense and will be more expensive for Cork County Council to support in the longer term

- The mistakes in relation to infrastructure capacity and access will become obvious and have to be corrected in the future - long after the County Council has taken charge of the development.
- The proposal is contrary to the Cobh LAP which states that no one scheme should be greater than 40 units in Glounthaune
- An application for 40 houses should contain analysis of design, traffic and infrastructure for 40 houses and not 200 houses.
- The Executive Planner calculates the development of 40 dwellings as an 8% increase in population yet ignores, completely, the intended plans of the applicants to develop a 240 house estate in what is largely a rural setting.
- An increase of 240 houses would represent a near 50% increase in population and not the 8% increase suggested by the Executive Planner.

6.1.3. Planning activities on other sites in Glounthaune.

- There has been a recent application, submitted to ABP, in November 2017, for 159 houses at Johnstown to the east side of Glounthane (on level, flat ground close to the railway station and with good access on to an adequate highway) under Strategic Housing Development.
- An additional 90 houses have recently been completed at The Woods', close to the train station, since the Local Area Plan was published.
- Planning history on the site itself and planning refusals must be considered and precedent followed.
- The Executive Planner has ignored the p.a. decision in the case of PL04.244987.

6.1.4. Connectivity / Traffic / Access

- Inadequate road infrastructure
- Lack of connectivity and distant (1.5km) from the train station.

- Size of Lackenroe Bridge and concern that it may be damaged during construction also traffic safety using the bridge.
- There is a lack of footpaths. The proposed development will not have pedestrian connectivity to the key local points of interest which will dominate the reasons for travel.
- Concern with respect to the narrowness of the roads linking the site and the village and between the site and the railway station. It prevents the construction of a continuous footpath link.
- Construction of a footpath would entail encroachment on private property over which the developers have no influence.
- The road is busy and dangerous.
- The traffic assessment carried out is limited and flawed
- The increased volume of traffic will be immense.
- The estate has been designed around the car / car accessibility which is unconventional.
- The proposal to place footpaths on sections of 'The Terrace' is wholly inadequate and is challenged by the fact that any 'shared surface' actually means putting kids and cars in the same space.
- The inclusion of footpaths would detract from the scenic aspect of the roads. Heritage Officer not consulted.
- The national school, the church, the playground, the shop and the train station are all cut off for pedestrians from this location and will result in total car dependence.
- The assertion that people will travel on foot through another estate is effectively impinging on the amenity of the residents of Cois Chuain.
- The danger to pedestrians as a result of the poor pedestrian infrastructure and increased traffic is significant

- The distance and lack of connectivity to the public transport corridors will ensure that the traffic is car based and that two or more cars will be used per household and little or no modal shift will be achieved
- The increase in traffic will add to congestion at existing bottlenecks - the national school, the train stations, Fitzpatrick's shop, the junction at the church and the play ground
- The road infrastructure is dated, limited and totally inadequate to support what is envisaged will be a car dependent development which will add 400 cars to the roads in the area on a daily basis.
- Traffic management plan necessary during the construction phase. Vehicles accessing the site should be restricted to off peak but daytime hours. They should also be strictly managed on the routes they can take.
- Proposal should be contingent on the provision of a suitable East-West road through the middle of the site which would link in with the north-south road to the east of the site and possibly further linking with the new U01 from the Woods to the old N25 (now L3004) as per the 2017 Local Area Plan.

6.1.5. **Impact Upon Residential Amenity**

- Loss of privacy- development is on an elevated site and directly overlooks properties in Annmount, it will have a negative impact on privacy.
- **Specific Residential Amenity concerns raised by Brock Lewin and Claire Cliffe-Lewin located directly to the north of the proposed development, their contemporary dwelling has extensive glazing to its southern ground and first floor.**
 - House numbers 22 to 25 back directly onto the appellant's southern boundary, at a distance of 15 m from the lawn and 35m from their dwelling.
 - Concern with respect to views into first floor windows
 - Loss of privacy
 - Devaluation of property

- Request that the Board limit the FFL of houses 22 – 25 to 98m and / or to reduce all such houses to single storey
- Also specifically omit possible future attic conversions with rear facing windows
- **Specific Residential Amenity concerns raised by Sean and Marie Flanagan**
 - Four houses of House type F (numbered 32 – 35) are proposed to be constructed directly to the rear north east corner of their property.
 - From the various Proposed Site Layout drawings House Type F has an indicated FFL of both 82.35 and 81.70. These FFLs are approx. 3m higher than their home.
 - Concerns of overlooking and consequent loss of privacy.
 - The separation distance to the rear of their house would be approx. 15 meters, i.e. less than the 22m guidelines standard.
 - Request that should planning permission be granted a condition be attached limiting houses numbered 32, 33,34,35 and 36 to single storey bungalows.
 - Concern of possible future attic conversions with rear facing windows
 - Concern that proposed planting and landscaping along the party boundary would give rise to loss of amenity / loss of light.
 - Need for suitable boundary walls.
- **Specific Residential Amenity concerns raised by Judy Connell and David Connell**
 - Noise from passing cars – the proposed access road is located 12m from the boundary of their property and 17 m from their house.
 - Light pollution and nuisance
 - Over looking
 - The floor height of their home is c.75m, the ground floor height of property No. 40 is 3.35m higher and the ground floor height of property No.39 is 4m higher, both of which are proposed to be erected directly behind their property.

- The apex of house 40 is nearly 8m above the apex of their house
- The aspect of property No.40 will have views directly into all rooms on the Southern side of their property
- The separation distance is only 20m.
- Concern with respect to devaluation of property
- Concern that proposed planting and landscaping along the party boundary would not be sustained given the gradient / steep drop, further that it could possibly give rise to loss of amenity / loss of light.
- Concerned about the foundations and constructability of the site.
- **Specific Residential Amenity concerns raised by Patrick and Claire Casey**
 - Appellants house located to the north of the proposed development, the entire southern boundary abuts part of the northern boundary of the proposed development
 - Entire western boundary abuts the proposed pedestrian access
 - Loss of security and privacy
 - Overlooking
 - Light pollution and nuisance
 - Anti-social behaviour
 - No logical reason or necessity for this pedestrian access. It does not aid connectivity to the village or services.
 - The pedestrian exit opens directly onto the Killahora Road (Designated Scenic Route A43) above Forge Cross close to a steep section of the hill, leading to a dangerous blind bend with steep road gradients of 12.2% to the east of the bend and 15.7% to the west.
 - Danger to pedestrians
 - Have concerns that the provision of such a pedestrian access onto the Killahora Road at its proposed location would result in increased traffic hazard

for vehicles exiting their property in a western direction ie towards Forge Cross/Caherlag/Cork city.

- Request that consideration be given to preservation of mature trees at the entrance to Killahora Road
- Request that if the proposed pedestrian access is permitted that a 1.8m high rendered and capped stone wall be constructed along the third party's western boundary, along the length of the pedestrian access to the Killahora Road.
- Concern with regard to noise from traffic and construction activity.
- Light pollution and spillage
- Houses 31 to 28 are inappropriate in height, scale and location.
- Need to drop levels of proposed houses by 1 m from its present natural "as is" ground level.
- Request that the provision for the proposed 2 m high party boundary wall be amended to provide for a 1.8 metre high capped, rendered wall with a stone face.
- Request that any possible future attic conversions with rear facing windows be de-exempt.
- Concern with respect to construction noise and hours of construction activity.
- **Specific concerns raised by Paul Mc Dermott on behalf of Fiona Healy / 'Healy's' Dwelling.**
 - The Healy's land holding directly adjoins the proposed development to the north-western corner (immediately north of proposed dwelling no. 32)
 - Concern with respect to the design of Houses 32 to 35 to the north-west corner of the site. They should be omitted.
 - Concern with regard to the FFL of house no.'s 34 and 35
 - Concern with respect to the style, height proximity of house no.'s 32 and 33 to Healy's house a modest 4.4m high bungalow.

- Detrimental impact to views over south facing landscape enjoyed from Healy's house.
- Requests boundary fence is replaced with a 2.0m high wall, stone faced and capped.
- House no.'s 27 – 31 would result in significant overlooking of Healy's rear garden.
- Pedestrian access should be omitted
- Request that any possible future attic conversions or house extensions be de-exempt.

6.1.6. Design

- Concern with respect to the gradients and pattern of road lengths, pavements planned for the site
- The open spaces proposed are un-useable due to changes in gradient
- The design has not created a child and pedestrian friendly space, no car free areas.
- The pedestrian linkage at the northern side of the site will encourage anti-social behaviour.
- The proposed development represents suburban type of development
- The scale will dominate the skyline and idyllic setting.
- Building materials proposed are not in keeping with local materials.
- The designs of the properties, with large balconies, do not lend themselves to blending into the existing surrounding built environment / rural nature of the site.
- No photomontages / photographic survey submitted.

6.1.7. **Sensitive Landscape/ Scenic Routes/Protected Structures not referenced in the Application**

- Large scale dense development located on the ridge of a rural hill of high landscape value, between two identified scenic routes and overlooking a Special Conservation Area.
- Negative Impact to Scenic Routes S41 and S43 the two back roads in the direction of West to East are Scenic Routes which will be affected by traffic calming measures.
- Negative Impact Upon Annmount House Demesne and curtilage in particular walled gardens.
- While the Local Area Plan has changed since August 2017 with the removal of the specially. zoned XO-1, the landscape sensitivity has not.
- Concern with dependence on landscape buffer screening from the old Annmount Demesne (a protected structure) to the south which is outside the control of the applicant.
- A Visual Impact Study should be carried out.

6.1.8. **Water infrastructure**

- Capacity concerns with the present public storm drainage / water run off
- Run-off water is at full capacity, and the proposal will exacerbate flood risk
- Insufficient infrastructure particularly foul water
- Significant pressure on existing residents water supply
- Glounthaune village has been flooded most recently last year. There was no issue with flooding before the Cois Chuain development on the hill was constructed.
- Connection of the proposed development to the existing storm drains will exacerbate the issue.
- The storm water report fails to consider the natural springs rising up in the centre of the site.

- Water from these springs can be observed flowing through an open drain to the site boundary at the road edge close to the proposed site entrance. These flows are continuous year-round even in the driest summers.
- The storm water report fails to identify or deal with the additional water flow from these springs.
- Due to the site location lands at higher elevation to the north and east of the site drain into this area naturally and this area should also be considered in the calculations.

6.1.9. Lack of Infrastructure to support the development

- The local National School is at capacity
- The village has no Secondary School;
- There are no publicly accessible sports facilities within the village boundary.
- The village itself has no commercial business
- There is little or no local employment;
- There is no Garda Station;
- There is no GP / Medical Centre / Pharmacy
- There is no bank / public ATM
- The Railway Car park is at capacity

6.1.10. Requirement for EIS / NIS

- The proposed 200 house development is less than 1 km North from the Glounthaune slob (mudflats).
- The mudflats are within Special Protection Area (Cork Harbour) and Special Area of Conservation (Great Island Channel).
- Storm drains are presently inadequate and at capacity. There is a risk of run off leading to water contamination
- A wildlife assessment should be undertaken and an environmental risk assessment conducted with regards to the existing wildlife.

6.1.11. Ecological Issues

- It is unclear whether the NPWS was consulted on this development

- No ecological studies have been undertaken for this development
- The Biodiversity Data Centre's website (www.biodiversityireland.ie) shows that bats have been recorded in this area.
- Biodiversity Data Centre website shows that Red Squirrel has also been recorded in the area.
- The issue or possibility of Badgers on the site has not been addressed.
- There is a lack of an ecological report.

6.2. Applicant Response

6.2.1. A response has been received from HWP Planning on behalf of the first party, Bluescape Limited. It is summarised as follows:

- Demand for housing in and around Cork City is high and growing rapidly.
- Glounthaune has been identified to cater for a significant population expansion since Local Area Plans were first prepared for Cork's settlements in 2005 and the general policy to promote growth and development in the village has remained consistent for over 10 years.
- The proposed development of 40 no. dwellings represents an 8% increase in the housing stock of the settlement which is considerably below the 10-15% threshold recommended in the *Planning Guidelines on Sustainable Residential Development in Urban Areas*' SRDUA.
- Given the topographical challenges of the site it is considered that a density of circa 13 units per hectare is appropriate and provides a development which respects the existing settlement of Glounthaune and which is in accordance with policies and objectives of the Cork County Development Plan, Cobh Municipal District Local Area Plan and the SRDUA.
- Disagree with the appellants assertions that the proposed development constitutes the development of more than 40 no. dwelling houses and the same criteria applies to justify the refusal of the subject proposal as in the case of the previous refusal of the Board for the construction of 40 no. houses and all associated site development works at Johnstown, Killahora, Glounthaune (Appeal Reference: PL04.244987)

- While the subject development does involve the first phase of the development of a larger residential scheme in the future the Executive Planner in their assessment notes that the proposed development could exist as a standalone scheme and its delivery is not reliant on future phases of present indicative masterplan. The site layout is considerably more in keeping with the existing settlement pattern of Glounthaune and there will be a clear distinction between the various phases of the masterplan.
- The Blarney Electoral Area Local Area Plan 2011 which the Board referenced in the refusal of PL04.244987 has expired, and has been superseded by the Cobh Municipal District Local Area Plan 2017 (LAP). The LAP recommends that the scale of any individual residential development for Glounthaune is 40 no. units which the proposed development is in accordance with.
- The proposed signalised junction and various traffic calming measures including the provision of raised surfaces will provide a safe pedestrian environment and enhance pedestrian and cycle connections between the northern side of Glounthaune village and the village centre.
- The development provides for a pedestrian access to the northern Killahora Road which will provide a convenient pedestrian/cycle route between the existing dwellings on this road and the existing local primary school and village centre.
- Under potential future phases of the development to the east and south east additional pedestrian/cycle links between the subject lands and the village centre will be provided which will promote sustainable travel patterns in the future.
- The submitted TTA demonstrates that the existing road network does have sufficient capacity to accommodate the proposed development as agreed by Cork County Council.
- The conditions and contributions imposed in the grant of permission will result in the necessary upgrades and maintenance of the surrounding road network which will improve the road network for all current and future residents in Glounthaune.
- The proposed development has been carefully designed to ensure that it will not have a negative impact on the residential amenities of adjacent properties.

- The site section drawings attached in Appendix 2 of this submission, prepared by Deady Gahan Architects (Drawing no's. 16009/P/005A & 16009/P/005B) provides details of the distances and variance of Finished Floor Levels and Ridge Heights between the existing and proposed dwellings.
- In response to a Further Information Request, the applicants addressed the issues raised regarding the proximity of houses 32-40 to nearby residences, by submitting a revised layout where houses no' s. 39 & 40 were re-positioned eastwards by a further 2 metres.
- The Planning Authority concluded that the development does not require an Appropriate Assessment due to the nature of the proposed development and the lack of any physical or hydrological connection between the subject site and any European designated area.
- The Planning Authority has concluded that the site does not represent a flood risk as the site is not designated within a flood zone and that an Environmental Impact Statement is not required.
- Condition no. 4 of the Council's decision requires the applicant to pay a special contribution in the amount of €20,000.00 in respect of works proposed to be carried out, for the provision of the upgrading of the Storm Sewer.
- The proposed development will result in an upgrade of the existing storm water network and its upgrade will be beneficial to existing and future residents in Glounthaune.
- The subject development will assist in stimulating commercial activity in the village.
- Some of the appellants claims that the proposed development will result in a negative visual impact are unsubstantiated and inaccurate. A comprehensive Landscape Masterplan was prepared by Cunnane Stratton Reynolds, it details the landscaping measures and boundary treatments to be adopted.
- The northern pedestrian access route will provide the residents along the Killahora Road with convenient pedestrian access to the existing village, railway station and the local primary school and reduce vehicular traffic crossings from the upper part of Glounthaune.

- The provision of the pedestrian access route is in accordance with paragraph 4.10 of the SRDUA which promotes sustainable travel patterns to local facilities such as schools and public transport connections.
- Draw the Boards attention to condition no. 6 in Cork County Councils decision to grant permission which requires the applicant to provide: 'A revision to proposed dwelling no. 31 to provide better passive supervision of the proposed Northern pedestrian route (such supervision should also take account of the likely dwelling boundaries)'.
- The development will not result in any instances of overlooking between the proposed units and Mr & Mrs Casey's dwelling to the north. The proposed site section drawing (Drawing No. 16009/P/005A), attached in Appendix 2 of the appeal response, provides details of the distances and levels that will exist between dwelling no. 31 and the appellants dwelling. A distance of over 52.5 metres will exist between the appellants house and the nearest proposed dwelling in the development.
- The proposed development will bring significant improvements to the settlement in terms of assisting Glounthaune in addressing its housing shortage, traffic safety and the extension and upgrade of existing infrastructure.

6.2.2. Traffic

- The Grounds for Appeal indicate that at present 'no school children may be seen walking to school' due to the inadequate nature of the local roads network. This application proposes to provide a level of traffic calming on the 'Knockraha Road' from Junction 1 to the proposed development junction which includes the provision of footpaths and build-outs. The intention on the approach to the development junction is to urbanise the L2968 enforcing the idea of a lower speed environment. The provision of the traffic signal junction at the development entrance will reinforce the idea that this is an urban area where pedestrians and cyclists may be present.
- The site is ideally located to allow school children to safely cross the Knockraha Road at the traffic signal controlled junction and access the local school via the Cois Chuain housing development.

- The use of TRICKS was used to determine a robust assessment of the traffic generation and surrounding junctions.
- In determining trip generation, the proximity of the N.S. was not accounted for, likewise the proximity of the train station to the site was not accounted for.
- Submit that the trip generation figures are robust.

6.3. **Planning Authority Response**

- No response received.

6.4. **Observations**

Ten number observations have been received from the following: James Barrett, Partick O’Byrne, Bernadette Fleming and Others, Johnstown Residents Association, Madeleine O’Byrne, The Lackenroe Residents Group, Jacqueline Farrell & Shea Fahy & Others, Glounthaune Tidy Towns, Carol Harpur & Others and Raymond and Helen Kenny. The issues raised are similar to those raised in the nine third party appeals which are summarised in detail above. Issues raised are summarised under the following headings.

Principle of the Development, Overdevelopment, Density, Not Plan Led, Road Safety Issues, Traffic Hazard, Poor Connectivity, Inadequate Infrastructure, Negative Visual Impact:

- Inappropriate scale and density - Phase 1 of 240 dwellings
- Fast Track planning O’Mahony Development Killahora / Johnstown
- Glens/Slopes/Viaduct – understanding the landscape
- The 1778 map showing road infrastructure has not changed in over 240 years.
- No Masterplans for Development Land in Glounthaune LAP
- Site connectivity is problematic – infrastructure and distance to the village and train station
- Ownership of the site – Part V Housing

- Storm Drains Proposal – 3 attenuation tanks
- Failure to adequately address storm water issue will result in flooding
- Lack of Road, Civic and Social Infrastructure
- No Visual Impact Assessment
- Housing Incongruous with surrounding area
- Screen walls to boundaries needed
- Privacy to existing houses of concern
- Traffic Impact Assessment 1 day inadequate.
- Road Safety Issues – No Footpaths
- Lack of parking at Local Amenities
- Design of the houses are not in keeping with the area
- Topography of the area, elevated site, prominent visually sensitive
- Natura Assessment required.
- Environmental Impact required
- Photographs included of flooding incidents

If Planning is Granted

- Reduce the density of the houses
- Pedestrian access / exit should be omitted. No logical reason for this entrance.
- Part V Housing Type E House Design Removed
- Kick about Play Area not sufficient

6.5. Further Responses

10 responses received from Patrick and Claire Casey; Conor O'Brien; K.M. Springall; Fiona Healy; Judy and David Connell; William and Michelle Cashman; Sean and Marie Flanagan; Brock Lewin and Claire Cliffe-Lewin and two responses from Terence Fleming. Only New Issues are summarised below:

- Fully support, in every respect and aspect the third-party appeals submitted.
- Road Improvements special contribution of €80,000 is insufficient to carry out the necessary upgrade to roads infrastructure.
- Concept of shared surfaces and CPO to achieve road widening unacceptable.
- It has not been shown that suitable pedestrian and cycle infrastructure can be provided within an appropriate timeframe.
- Proposed development premature
- No school capacity
- Storm water drainage and the natural spring on site of concern
- Storm water special contribution of €20,000 is insufficient to carry out the necessary upgrade to storm water infrastructure.
- The storm water infrastructure is not available to support this development.
- Concern with respect to site section drawings submitted. The ridge level of the closest dwelling to the Healy residence will be 5m higher than the ridge level of the Healy's house.
- The applicants have not addressed all individual concerns raised in their response, which unsatisfactorily groups issues.
- No new issues raised.

7.0 Assessment

I consider the key issues in determining this appeal are as follows:

- **Development Plan and Principle of the Development**
- **Visual Impact, Design and Layout**
- **Impact Upon Established Residential Amenity**
- **Traffic, Access and Connectivity**
- **Water, Waste Infrastructure and Flooding**
- **Appropriate Assessment**
- **Other Matters**

7.1. Development Plan and Principle of the Development

- 7.1.1. Glounthaune is recognised as a ‘Key Village’ within the settlement hierarchy set out under the Cobh Municipal District LAP 2017 and the Cork County Development Plan 2014 wherein Policy CS 3-2 provides that where appropriate population growth will occur to increase the local population and support local services.
- 7.1.2. The appeal site is included within the area identified as ‘existing built up area’ for Glounthaune in the Cobh Municipal District 2017 LAP. The Plan outlines the vision for Glounthaune as a ‘Key Village’ but also its strategic role in Metropolitan Cork up to the year 2023 and beyond. The vision is ‘to secure a significant increase in the population of the settlement (balancing the maximisation of sustainable transport benefit offered by the railway station, with development appropriate to the character, setting and scale of the village), to retain and improve local services and facilities and to strengthen infrastructure provision’.
- 7.1.3. Table 4.2.1, ‘Appropriate scale of development for Key Villages’, sets out that the normal recommended scale of any individual proposed housing scheme for Glounthane is 40 units. The Plan goes on to state, however, that, ‘individual schemes in excess of the recommended scale set out in table 4.2.1 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’.

- 7.1.4. Objective GO-01 of the LAP outlines general objectives for Key Villages in the Municipal District, Objective GO-01 b) among other objectives states: ‘The number of houses in any particular individual scheme should have regard to the scale and character of the existing village and will not normally exceed the provision of the number of units set out in Table 4.2.1’.
- 7.1.5. Table 2.3 entitled ‘Cobh Municipal District – Proposed Scale of Development’ of the LAP (2017) indicates that it is an objective to grow the settlement by 400 dwelling units over the lifetime of the plan. I note this table also indicates that Glounthaune has Irish Water Services in place with broadly adequate existing water services capacity.
- 7.1.6. The site was previously zoned in the Blarney LAP 2011 (updated 2015) and had the benefit of Special Policy Area Objective X-01. The X-01 zoning objective provided for the following:
- a) Having regard to the provisions of DB-01 b) it is an objective to facilitate the development of a minimum of 100 dwellings on this site through the preparation of a masterplan, to be completed by the developer.
 - b) The masterplan will pay particular attention to:
 - Provision of adequate connectivity with the train station and village core for pedestrians
 - Provision of appropriate open space and recreational facilities
 - Provision of connectivity to the main road
 - Improvements to the road network serving the lands from the village core
- 7.1.7. As stated above, under the more recent Cobh Municipal District LAP 2017 the X-01 zoning designation has been removed and the site has been included within the existing ‘built up area’ and settlement boundary for Glounthaune.

- 7.1.8. The appeal site forms part of wider lands within the applicant's landownership, where the lands to the east of the site, also designated as within the settlement boundary for Glounthaune, are within the ownership of the applicant. While this application proposes the construction of 40 number dwelling houses on a site of some 3.5 ha, concerns have been expressed by third parties that the density proposed is too high and that the subject development constitutes Phase 1 of an overall development of 200 plus houses planned for these lands. It is submitted that the application for 40 houses as proposed is disingenuous given that analysis of design, traffic and infrastructure for 200 houses has been carried out.
- 7.1.9. The Planning and Design Statement submitted with the application states: 'The proposed development represents the first phase of a masterplan where approx. 200 number residential units can be provided over the coming years'. Figure 5 indicates an 'Indicative Masterplan indicating proposed and potential future connections'. The applicant points out that the layout allows for future connection to adjoining lands to the east within the control of the applicant.
- 7.1.10. I tend to agree with the first party and the planning authority that while the subject development may be described as the first phase of the development of a larger residential scheme in the future, the application is for 40 houses, only. As each planning application is decided on its own merit, on a case by case basis, the subject proposal is clearly a standalone scheme and its delivery is not reliant on future phases of the present indicative masterplan. I also agree that the site layout is in keeping with the existing settlement pattern of Glounthaune and I highlight the first party's submission that there will be a clear distinction between the various phases of the masterplan. The plan led nature of the proposal is considered appropriate and in line with good planning principles.
- 7.1.11. The appeal site of some 3.5 ha in area is situated in the settlement of Glounthaune, within the settlement boundary of the village. The proposed development therefore accords with the zoning. Glounthaune Village is approx. a 10 min walk and the train station is located approx. 1.5Km south east of the site. The rail service offers a half hourly service to Cork City in the peak, with journey time of 10 minutes. The site is also situated 5-10 walk from Glounthaune National School. The argument that the

subject development would assist in stimulating commercial activity in the village and improve infrastructure and services for all is feasible. I would be satisfied that the principle of a housing development on this site is in accordance with policies and objectives of the Cork County Development Plan, Cobh Municipal District Local Area Plan and the Planning Guidelines for Sustainable Residential Developments in Urban Areas and thereby acceptable.

7.2. Visual Impact, Design and Layout

- 7.2.1. The site layout is dictated by the topography of the site. The ground level rises from west to east by some +30m and thereby presents some challenges. Scenic routes A42 and A43 run to the north and south of the site. The larger detached houses are proposed on the northern portion of the site with ridge heights up to 8.2m in height and FFL's ranging from 78.3m to 90.2m OD. These dwellings have generous plot sizes, particularly the dwellings running adjacent to the NE boundary of the site. They also have balconies facing south to the views of Harper's Island and Mahon Lough.
- 7.2.2. The smaller semidetached three and four-bedroom houses are proposed to the southern portion of the site, with back gardens facing south and west in direction and FFL's ranging from 74m – 80m OD accessed off two cul de sacs. The neighbouring houses adjoining to the north have approx. FFLs of 83m – 89.4m OD. The dwellings adjoining to the west have FFLs of 75m – 79m OD. No FFL detail is given for structures within the adjoining 'Annmount House Demense' or the dwellings adjoining to the south, which, I note are on lower ground and heavily screened with dense mature tree lined boundary. There are no views from the site into the adjoining 'Annmount House Demense'.
- 7.2.3. Given the established pattern of development in Glounthaune Village with the two storey Cois Chuain housing estate to the west and prolific scattering of large two storey one-off dwellings surrounding the appeal site and on higher ground. I am of the opinion, that in principle, the two-storey houses, which are architecturally designed to a high standard with aesthetically pleasing finishes (incorporating a mix of smooth plaster finish / natural stone, glazing, black ridge and roof tiles / slates), will not have a detrimental impact on the visual amenities of the area. Cognisance being had to the screening in place, which is to be retained and enhanced to

boundaries, the site is not highly visible from the adjoining scenic routes or 'Annmount House Demense' with intermittent views only.

- 7.2.4. The proposed access roads through the site generally follow the gradient. The site is proposed to be accessed by a 6m wide spine road east off the Knockraha Road. A 70m long pedestrian access route, the subject of much concern by adjoining residents, is proposed from the northern local road (Kilahora Road) into the site. A pedestrian link through Cois Chuain housing estate (at the entrance on the opposite side of the Knockraha Road) is proposed to the national school. The site layout clusters housing around a large central open space, ensuring overlooking of the open space and pedestrian routes are proposed within and via the site. Two kick about / play areas are proposed with the main play area located to the north of the site. The quantum of public open space exceeds the requirements set out by cork County Council. Cross section submitted by way of Further information indicates that play areas are at 1:40 gradient and therefore contends that the gradient is suitable as useable public open space.
- 7.2.5. The estates engineer has some concern with respect to the gradient of play areas and recommends that the finishing of the landscaping should be agreed on site with the planning authority and all agreements put in writing prior to commencement of development. I agree this matter can be satisfactorily resolved by way of condition.
- 7.2.6. The proposal includes the transfer of 4 number 3-bedroom semi-detached units (House type E) allocated for Part V which are scattered throughout the proposed development. This is considered acceptable.
- 7.2.7. I note and agree with Condition 6 of the planning authority's draft decision which seeks to provide better passive surveillance of the northern pedestrian route. It requires the applicant to provide: 'A revision to proposed dwelling no. 31 to provide better passive supervision of the proposed Northern pedestrian route (such supervision should also take account of the likely dwelling boundaries)'. Also, I agree with recommendation to revise proposed dwelling no. 1 such that it addresses the main spine road.
- 7.2.8. Cognisance is had that there are currently no public footpaths on the Kilahora Road to the north of the site and that the village and services are located to the south of the site. This being said, I agree that there are a number of one off dwellings located

on the Kilahora Road which would benefit from the pedestrian route. Connectivity and integrated pedestrian links are to be encouraged and while the concerns of adjoining properties to the north, in particular, the property of Patrick and Claire Casey, are noted. I am of the opinion integration, pedestrian linkages and high-quality design are positive elements in any residential scheme. Therefore I recommend that proposals for connections via adjoining estates to services and facilities and a well-lit pedestrian link, which is passively surveyed, should not be omitted.

- 7.2.9. I note the first party's submission that the scheme is plan led and under potential future phases of the development to the east and south east additional pedestrian/cycle links between the subject lands and the village centre will be provided which will promote sustainable travel patterns in the future.
- 7.2.10. A Landscape Masterplan, prepared by Cunnane Stratton Reynolds, has been submitted. In accordance with the Council's request the applicant submits that all boundaries to public areas will comprise 2-meter-high walls and not fences. Proposals to retain existing hedgerow planting and trees, to provide additional tree and hedge planting and to provide a 2m high weld mesh fence is noted. Such a boundary treatment is considered suitable owing to the presence of a large number of trees along the boundary which are to be retained.
- 7.2.11. Overall, I consider the density of 13 units / ha low, it represents an 8% increase in the housing stock of the settlement. In agreement with the planning authority, however, I am of the opinion, that given the topographical challenges of the site, the density is acceptable and the layout as proposed would provide a development which respects the existing settlement of Glounthaune and in particular the established permitted neighbouring dwellings abutting the appeal site boundaries.

7.3. Impact Upon Established Residential Amenity

- 7.3.1. Third parties have raised concern with respect to height, scale, location, proximity and to the proposed FFL of House numbers 22 to 25, house numbers 27 to 36, and house number 40.
- 7.3.2. Concern is raised with regard to noise from traffic and construction activity, light pollution, overlooking, loss of privacy, devaluation of property, loss of views, possible

future attic conversions with rear windows which would exacerbate overlooking should permission be granted. It is requested that the Board limit the FFL of houses 22 – 25 and / or to reduce all such houses to single storey. Also, that houses numbered 32, 33,34,35 and 36 be limited to single storey bungalows, and that any possible future attic conversions with rear facing windows be omitted by way of condition.

- 7.3.3. It is requested that consideration be given to preservation of mature trees at the entrance to Killahora Road and that if the proposed pedestrian access is permitted that a 1.8m high rendered and capped stone wall be constructed along the third party's western boundary, along the length of the pedestrian access to the Killahora Road, instead of 2 m high wall, as proposed, to preserve views. I see no proposal to remove established trees and lowering of the boundary wall along the pedestrian walk way to 1.8m in height is not opposed, landscaping and boundary treatment shall be conditioned to be agreed on site and in writing with the planning authority, prior to commencement of development.
- 7.3.4. Dwellings 22 – 31 located to the north of the site have generous rear gardens ranging in depth from 13.27m to over 33m. These dwelling are on the highest part of the site and have proposed ridge heights of up to 8.2m. The boundary with adjoining dwellings to the north is dense. The dwellings to the north are for the most part two storey and all located on higher ground than the proposed dwellings.
- 7.3.5. I note that a distance of over 40 metres is proposed between the northern most proposed dwellings (House 31 and 32) and existing dwellings to the north of the site and a distance of some 36m is proposed between Brock Lewin's dwelling (to the north east). It is evident from Section drawing (Drawing No. 16009/P/005A), attached in Appendix 2 of the appeal response that due to the change in levels across the site the development will not result in significant overlooking or negatively impact upon residential amenity of these existing dwellings. A balance has to be achieved between an acceptable level of development within the village boundary and the established scattered pattern of one off development.
- 7.3.6. Dwellings 32 – 40 have rear garden depths in excess of 12m. Following further information dwellings 39 and 40 were repositioned eastwards by 2 m. From my calculations a minimum separation distance of 20m between proposed dwellings

(24m indicated by the first party), and existing dwellings is proposed. Dwellings 32, 33, 34 and 35 have a proposed FFL of 81.7m – 82.35 m OD the adjoining dwelling to the west, is single storey, and it has a FFL of some 79.37 m OD and an Apex height of 84.23m. The existing dwellings opposing proposed dwellings 36 – 40, have stated finished floor levels of approx. 75 m OD and Apexes of approx. 80m while proposed House 39 has a FFL of 79m and House 40 has a stated FFL of 78.35. Thus, there is an approx. 3m difference in FFL between existing to the western boundary and proposed dwellings 32 – 40. This is significant.

- 7.3.7. House type D2 (numbers 36 – 40) is 9.4m in height, House Type F (houses 34 and 35) is 9.8m in height and House type E (houses 33 and 33) is 8.9m in height. The proposed site section drawing (Drawing No. 16009/P/005A), attached in Appendix 2 of the appeal response, provides details of the distances and levels that will exist between proposed dwellings and the appellants dwellings. I have serious concern with regard to the height of the proposed dwellings opposing single storey dwellings on lower ground, from a residential and visual amenity perspective. The proposed dwellings given their heights, would dwarf the existing dwellings and be seriously overbearing. I tend to agree with the appellants that these dwellings should be limited to single storey only. Should the Board agree, I recommend this matter can be dealt with by way of condition. I also have some concern that the level differential indicated in Drawing No. 16009/P/005A may be somewhat greater given the 3m difference in FFL.
- 7.3.8. Given the level of concern with respect to possible future attic conversions and resulting overlooking impacts. I recommend that a condition be attached to any grant of planning permission which requires that future attic conversions to any of the 40 number houses shall not be exempted development, as per Class 1, Part 1 of the Second Schedule of the Planning & Development Regulations, 2001, as amended. I consider it would be pertinent, given site topography and layout proposed that each future possible attic conversion be decided on a case by case basis.
- 7.3.9. With respect to concerns raised, in respect of, construction traffic, hours of operation and noise during construction. The site is accessed off the Knockraha Road and while some disruption would result to neighbouring properties, during the construction period, this would be for a finite period, if planning permission was to be forthcoming. I see no fundamental impediment from a noise and construction

perspective, subject to appropriate conditions in this regard. I recommend that subject to a robust construction management plan being put in place, that the proposed development would be acceptable from a construction point of view.

7.4. Traffic, Access and Connectivity

- 7.4.1. Third party concerns have been raised with respect to inadequacy of the public roadway, danger to pedestrians of proposed shared surfaces, the restrictions imposed by Lackenroe Bridge / Glounthaune Dry Bridge, remoteness and lack of connectivity to the village services.
- 7.4.2. The site is located approx. 0.5 Km to the north of Glounthaune Village on the eastern side of the Knockraha road. It is submitted that it would be an approx. 10-minute walk to the village and the train station is located 1.5Km south east of the site.
- 7.4.3. The site is proposed to be accessed via a 6m wide spine road east off the Knockraha Road at a point where the speed limit is currently 80 km/h. The proposed access road is directly across from the entrance to the Cois Chuain Estate. It is proposed to provide a signal controlled junction, to the satisfaction of the planning authority. To assist with traffic calming measures, following further information, it was proposed that raised tables would be provided at each junction. These would also facilitate pedestrian crossing (shared surface). All secondary roads are to be reduced in width to 5.5m. Corner radii have been reduced to 4.5m. Two on-site parking spaces are provided for each house, with six visitor car parking spaces proposed along the main road opposite dwellings 5, 17 and 37. The area engineer and the estates engineers have no objection to the proposal subject to conditions.
- 7.4.4. Revisions to the embankments adjacent to the main entrance is noted. In response to the Council's concerns an alternative pedestrian direct access from the end of access road 5 (house 40) to the footpath along the spine road is proposed via steps bounded by reinforced concrete side walls. The side walls will also serve as retaining structures to cater for the level difference. The steps layout and proposed landing levels are indicated in F.I. Drawing 60528069-SHT-10-C-0100 prepared by AECOM.
- 7.4.5. The proposal is for 40 units, only, the draft grant of planning permission requires that the developer pay a special contribution of €80,000 towards the cost of provision of

traffic calming north and south of the development access, including improved footpath connectivity. In this regard I note draft condition 5 and recommend it be included in any grant of planning permission forthcoming from the Board. I also highlight draft condition 17 relating to provision of footpaths at the entrance and recommend its inclusion in any grant of permission forthcoming. The planning authority considers that footpaths are necessary on both sides of the entrance to the site to eliminate unnecessary crossing. I consider, that subject to proposed new footpath and other related works to sections of the Knockraha Road being carried out, in accordance with the area engineer's requirements, that the subject development would not give rise to a traffic hazard.

- 7.4.6. I agree that the proposed signalised junction and various traffic calming measures including the provision of raised surfaces would provide a safe pedestrian environment and enhance pedestrian and cycle connections between the northern side of Glounthaune village and the village centre. The development provides for a pedestrian access to the northern Killahora Road which will provide a convenient pedestrian/cycle route between the existing dwellings on this road and the existing local primary school and village centre. I have dealt with the principle of the pedestrian link, in the preceding section of this report, and conclude it should remain as part of the proposal.
- 7.4.7. The submitted TTA demonstrates that the existing road network does have sufficient capacity to accommodate the proposed development as agreed by Cork County Council. I agree that the conditions and contributions imposed in the grant of permission would result in the necessary upgrades and maintenance of the surrounding road network which would improve the road network for all current and future residents in Glounthaune.
- 7.4.8. Condition 15 of the draft decision to grant permission relating to adequate on-site provision for construction traffic and delivery of materials to the site and Condition 16 relating to delivery of materials to the site, such that construction activity does not cause traffic hazard are highlighted. I agree that deliveries should not be permitted at peak traffic times 8.00- 9:30 and 16.30 to 18.00, said conditions should be reiterated in any grant of planning permission forthcoming from the Board in the interest of traffic safety.

7.4.9. Overall, I am of the opinion it would not be justifiable to refused planning permission on grounds of traffic hazard.

7.5. **Water, Waste Infrastructure and Flooding**

Concern is expressed that development (on sloping agricultural lands) would lead to increases both in the rate of runoff and the volume of run-off leading to flooding.

Concern is further expressed that surface water run off could negatively impact water quality of receiving watercourses.

7.5.1. **Water Supply**

It is proposed to service the proposed development via a new 100mm watermain connection off the existing 100mm AC watermain running along the Knockraha Road. The Area Engineer for Cork County Council had no objection in relation to water supply. Irish Water indicated no objection to the proposed development. I would be satisfied that water supply proposals are satisfactory.

7.5.2. **Foul Effluent**

It is proposed to discharge foul effluent by gravity to the existing 150mm foul water sewer running in a southerly direction along knockraha Road. The foul sewer discharges to the Little Island Interchange pumping station. The Engineering Section of Cork County Council was satisfied with the proposals for disposal of foul effluent. I would be satisfied that foul effluent proposals are satisfactory.

7.5.3. **Surface Water**

The site is greenfield. It is submitted the greenfield runoff rate (QBar) has been calculated at 10.6 L/S, it is proposed to limit outflow to 8.0L/S (i.e. 2.28 L/S/Ha) to further minimise the impact of the site on the existing public pipe network. It is proposed to provide attenuation to limit the surface water runoff for the 1 in 100-year event plus 20% climate change allowance to the QBar rate to comply with Greater Dublin Strategic Drainage Study (GDSDS). The developer proposes to discharge storm water via a 225mm diameter pipe, installing 3 number attenuation tanks on site (Tank #1 450m³, Tank#2 300m³ and Tank#3 255m³) connecting to the 300mm diameter storm sewer running in a southerly direction on the Knockraha Road. A permeable pavement system with an aggregate sub-base for surface water storage

for the private driveways, a petrol interceptor and rainwater harvesting butts are proposed to be provided for the proposed development along with surface attenuation as part of the SuDS Management. Note: Storm Water proposal was amended by way of F.I.

The F.I. submission by the first party, sets out that, it is recognised that there are constraints on the public water sewer network. It is the first party's understanding that the constraint is at the crossing beneath the Irish Rail line. Cork county council have confirmed to the first party that the upgrade works will be completed by them and the applicants will be required to provide a contribution relative to the development to support the upgrade works.

This information is backed up in the planners report on file. The area engineer has expressed satisfaction subject to a condition being attached (C6 of draft permission) that storm water measures shall be incorporated into the proposed storm water system. A special contribution of €20,000 (C.4) has been recommended in respect of works proposed to be carried out, for the provision of the upgrading of the Storm Sewer.

In conclusion to my assessment with respect to surface water I highlight that any further future development would be assessed separately. The Engineering Section of the Council was satisfied with the proposal, and recommended that permission be granted subject to certain conditions being attached. I would be satisfied that surface water proposals are acceptable.

7.5.4. Flood Risk Assessment

The site has been assessed in accordance with the Flood Risk Management Guidelines. As part of the sequential test, the OPW flood hazard maps have been consulted as have the draft preliminary catchment flood risk assessment map produced by the OPW.

It is submitted that other sources of flood risk have been investigated including private drainage. In all cases it was found that the development is at low risk of flooding and the development is deemed appropriate in the proposed site location.

The site is located outside of the designated A and B Flood Risk Zones for Glounthaune as per the Blarney Electoral Area LAP 2011 and the Cobh Municipal District LAP 2017.

The Planning Authority has concluded that the site does not represent a flood risk as the site is not designated within a flood zone and that a Flood Risk Assessment or Environmental Impact Statement is not required with the application.

The Engineering Section of the Council was satisfied with the proposal, and recommended that permission be granted subject to certain conditions being attached. Subject to conditions being carried out I agree that the proposed development would result in an upgrade of the existing storm water network and its upgrade will be beneficial to existing and future residents in Glounthaune. I therefore, see no justifiable reason to refuse planning permission on grounds of flood risk.

7.6. Appropriate Assessment

- 7.6.1. Great Island Channel Special Area of Conservation (SAC) (site code 1058) and Cork Harbour Special Protection Area (SPA) (site code 4030) are located some 660m distant.
- 7.6.2. The qualifying features of the Great Channel SAC are: Estuaries, Mudflats and sandflats not covered by seawater at low tide, Spartina swards, Atlantic Salt Meadows. The site overlaps with the Cork Harbour SPA and is an important site for overwintering birds. There is also a breeding population of Common Tern in the Harbour.
- 7.6.3. Cork Harbour SPA is designated for the occurrence of nationally or internationally important numbers of the following species: Cormorant, Shelduck, Oystercatcher, Golden Plover, Lapwing, Dunlin, Blacktailed Godwit, Bar Tailed Godwit, Curlew, Redshank, for breeding population of Common Tern and for the regular occurrence of >20,000 wintering waterbirds.
- 7.6.4. The Planning Authority have concluded that the development does not require an Appropriate Assessment due to the nature of the proposed development and the lack of any physical or hydrological connection between the subject site and any European designated area. The planning officer carried out AA Screening and his

report concludes that potential for significant impacts on the SPA and SAC can be ruled out.

- 7.6.5. The subject appeal site is not within any designated site. The site comprises an infill, zoned serviced site located within a suburban area. It is proposed to connect to public foul sewer. I note that wastewater treatment proposals are satisfactory and no impacts have been identified arising from general impact assessment.
- 7.6.6. Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of the Great Island Channel Special Area of Conservation (SAC) (site code 1058) or Cork Harbour Special Protection Area (SPA) (site code 4030) having regard to the nature and scale of the proposed development, infrastructure services in place and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

7.7. Other Matters

7.7.1. Validity of the Application

Third parties have raised concern that the lands included within the red line boundary are not within the control of the applicant. It is submitted the current application is invalid and should not proceed.

From the information on file it is submitted that the applicants Bluescape Ltd are the legal owners of the appeal site and that a portion of the site onto the Knockraha Road is under the control of Cork County Council. A letter of consent dated 29th June 2017 by the property section of Cork County Council is attached to the file. This letter confirms consent of Cork County Council to the making of the planning application on the basis of this land being taken in charge by the Council.

No legal documentation / deeds / title documents of persons claiming ownership of any portion of the appeal site have been submitted, by the appellants, to dispute the ownership of the appeal site.

The matter of ownership is a legal matter between the parties in the first instance and not strictly a planning consideration. It is my opinion that the applicant has

demonstrated sufficient legal interest in the appeal site / lands in order to make the planning application. Regard is had to Section 34(13) of the Planning and Development Act 2000, as amended, I highlight that it is not the role of An Bord Pleanála to adjudicate on civil property matters and a person is not entitled solely by reason of a permission to carry out any development.

7.7.2. Requirement for an Ecological Report / Environmental Impact Assessment (EIS)

Concern is expressed, by third party appellants, that no ecological studies have been undertaken for this development. It is submitted that red squirrel, badgers and bats have been recorded in this area.

I saw no evidence of red squirrel, badgers or bats on the appeal site at the time of my site visit, and I consider that no substantive evidence has been submitted to corroborate the submission that protected species use or are active on the site.

The appeal site is located within the settlement boundary of Glounthaune Village, which has been identified as a key village for settlement growth, the site is not identified as ecologically sensitive in the newly adopted Cobh Municipal LAP (2017) which sets out a vision, policies and objectives for Glounthaune. This plan and preceding plans for Glounthaune would have been subject to Strategic Environmental Assessment. The scale of the development does not require a mandatory EIS and I do not consider that a sub threshold development is relevant to this case.

Regard being had to the foregoing I do not recommend further ecological assessment be sought for this approx. 3.5ha infill site. However, should the Board disagree, it is open to them to request further additional reports from the applicant, in this regard.

8.0 Recommendation

I recommend that permission be granted for the Reasons and Considerations set out below and subject to the attached Conditions.

9.0 Reasons and Considerations

Having regard to the location of the site on zoned lands within the village boundary of Glounthaune, the layout of the proposed development and the provisions of the Cobh Municipal District Local Area Plan 2017, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for the required infrastructural services, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health 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.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19th September 2017 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. That this permission authorises 40 residential units, only. Each proposed residential unit shall be used as a single dwelling unit.

Reason: In the interests of development control

3. Prior to commencement of any development on this site, revised plans and drawings shall be submitted to the planning authority for agreement in writing in relation to-

(a) Proposed Dwellings 32 – 40 shall be single storey, only, with a maximum ridge height of 5.5m and FFL as indicated on the submitted plans (dwellings 32 – 35 have submitted FFLs 81.7m – 82.35m OD and House 39 and 40 have FFLs of 79m and 78.35m OD, respectively).

(b) A revision to proposed dwelling no. 31 to provide better passive supervision of the proposed Northern pedestrian route (such supervision should also take account of the likely dwelling boundaries)

(c) Revisions to proposed dwelling no.1 such that it addresses the main spine road through the scheme. Revised layout should also omit/ significantly revise the extent of access road to serve this dwelling.

Reason: In the interests of residential and visual amenity.

4. Details of the materials, colours and textures of all the external finishes to the proposed residential units shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. (a) The windows serving all bathrooms, en-suites and walk-in wardrobes shall be permanently fitted and maintained with obscure or stained glass.

(b) Future attic conversions to any of the 40 number houses shall not be exempted development, as per Class 1, Part 1 of the Second Schedule of the Planning & Development Regulations, 2001, as amended.

Reason: In the interests of proper planning and sustainable development of the area

6. The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, contoured, soiled, seeded, and landscaped to the agreed satisfaction of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.

Reason: In the interest of residential and visual amenity.

7. (a) Prior to the commencement of any development on site the developer shall agree on site and in writing with the planning authority the finished levels and gradients of the proposed open space. Open spaces shall have a maximum slope of 8.5%.

(b) The developer shall provide a grass margin 2m wide free of tree/shrub planting along the road side edge of the proposed open space to ensure forward visibility unless otherwise agreed with the Planning Authority.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

8. Precise details of the following shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(a) The proposed boundary treatment including individual rear and party dividing boundary treatments.

(b) The boundary to the north of the site, on both sides of the pedestrian walkway to the Kilahora Road shall consist of a 1.8m high solid block wall, capped and dashed on both sides,

(c) All other boundaries to public areas shall comprise 2m high solid block walls capped and dashed on both sides.

(d) A 2m high weld mesh fence, which shall be colour coated in a dark green colour (including uprights) shall be provided to boundaries where trees are to be retained, generally as indicated on the Landscape Masterplan, as submitted to the planning authority on the 19th September 2017.

Reason: in the interest of visual and residential amenity.

9. The development shall be carried out and completed in accordance with the “taking-in-charge” standards of the planning authority. The entire development shall be maintained by the developer until such time as it is taken in charge by the planning authority. No private management company shall be established to maintain the estate.

Reason: In the interests of ensuring that the development is carried out to appropriate standards, and to comply with national policy in relation to the taking in charge of housing estates.

10. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed standards of the planning authority for such works, and shall comply with the provisions of the Design Manual for Urban Roads and Streets. Footpaths shall be provided to serve the proposed play areas, not less than 1.8 metres in width.

Reason: In the interest of amenity and of traffic and pedestrian safety.

11. The development shall comply with the following requirements of the planning authority:

(a) Access to the site shall be by way of a traffic signal controlled junction, to the satisfaction of the planning authority.

(b) Entrance recess between public road edge and entrance gate shall be set level with public road surface edge to the Planning Authority's satisfaction and shall not extend beyond road surface edge.

(c) Proposed new footpath and other related works to section of public road shall be carried out in accordance with area engineer's requirements. The footpath along the western end shall be constructed, as per drawings attached to the planning application, the minimum width of the footpath is 2meters wide and will extend from along the site boundary to the junction of the L-2969. Applicant to contact the Area engineer's office prior to works commencing on the new footpath.

(d) Sight distances of 80 metres, in both directions, at a point 3 metres back from the edge of the public road shall be provided in the centre of the vehicular entrance to the satisfaction of the Planning Authority prior to the commencement of any other development on site.

(e) The developer shall prepare and submit an internal traffic management plan prior to commencement of development identifying the locations of stop lines, pedestrian crossings, traffic calming measures and finalising the kerb lines/radii. The plan shall be agreed in writing with the Planning Authority prior to commencement of development.

Reason: In the interest of traffic safety and amenity.

12. Precise details of the following shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(a) Drawings that show clearly the extent of all proposed retaining structures. The structures that are to be included in, or that would impact on, any area to be taken in charge by Cork County Council (at the council's discretion) shall be separately identified on the drawings. Retaining structures that are classified as private boundaries by the Planning Authority will not be taken in charge.

(b) For each retaining structure, a construction layout plan / drawing showing the extent of the entire retaining structure proposed and any ancillary structures, along with a cross section detail. The site investigation details and geotechnical assumptions on which the design has been based. The descriptions, lengths and retained dimensions of each structure shall also be clearly shown.

(c) A certificate from a suitably qualified structural engineer confirming, to the satisfaction of the Planning Authority:

- that the retaining structures have been designed in accordance with the relevant and most current design standards,
- that the structures have a 120 year design life,
- the design surcharge and live loadings (kN/m²)

- that the designs have been correctly transferred to the contract/construction drawings.

(d) Within 6 months of completion of construction, or as otherwise agreed in writing with the Planning Authority, precise details of the following (for all retaining structures) shall be submitted to and agreed in writing with the planning authority:

- Structural design calculations with full reference to the design standards used, including any amendments during construction,
- As-built drawings and relevant details for all retaining structures, including details showing ground conditions encountered during construction,
- A letter of certification shall be provided by the Design Engineer responsible, confirming that the structures have been constructed as per the design and as per the as-built drawings/details. Alternatively, this certification shall be provided by a suitably qualified structural design engineer, to the council's satisfaction,
- Other data that would be available for preparation of a safety file for the retaining structures in accordance with the current safety, health and welfare at work (construction) regulations.

Reason: In the interest of orderly development.

13. Water supply and drainage arrangements, including the attenuation and 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.

14. Storm attenuation measures shall be incorporated into the proposed storm water system. Fully detailed storm water attenuation proposals shall be submitted and agreed in writing with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing. These proposals shall include detailed, site specific design, layout and section drawings and construction details. as well as

detailed proposals for the operation, maintenance and silt management of the system.

Reason: In the interest of public health.

15. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interests of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

16. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each house shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

17. (a) The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the

development, including noise management measures and off-site disposal of construction/demolition waste.

(b) Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 09.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

(c) The delivery of materials to the site during the construction phase shall be organised so that deliveries are minimised and do not cause traffic hazard, deliveries are not permitted at peak times of traffic 8.00am to 9.30am and 16.30 pm to 18.00 pm.

(d) During construction the developer shall provide adequate off carriageway parking facilities for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road or footpath.

(e) That all necessary measures be taken by the contractor, including the provision of wheel wash facilities, to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: In the interests of public safety and residential amenity

18. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

19. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

20. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

21. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be

referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

22. The developer shall pay to the planning authority a financial contribution of €98,289.41 (ninety-eight thousand, two hundred and eighty-nine thousand euro, forty one cents) in respect of the Cobh/Midleton - Blarney Suburban Rail Project, in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and

the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development

24. The developer shall pay the sum of € 80,000 (eighty thousand euro) (updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000, as amended, in respect of Specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of traffic calming north and south of the development access, including improved footpath connectivity. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

25. The developer shall pay the sum of € 200,000 (two hundred thousand euro) (updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000, as amended, in respect of works proposed to be carried out, for the provision of the upgrading of the Storm Sewer that crosses under the railway line. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of indexation required by this condition shall

be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

Fiona Fair
Planning Inspector

13.03.2018