



An  
Bord  
Pleanála

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

**Inspector's Report on  
Recommended Opinion  
301431-18**

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**Strategic Housing Development**

<b>Location</b>	Cooney's Lane, Graigue, Grange, Co. Cork
<b>Planning Authority</b>	Cork County Council
<b>Prospective Applicant</b>	Westbrook Housing Company Ltd
<b>Date of Consultation Meeting</b>	24 <sup>th</sup> May 2018
<b>Date of Site Inspection</b>	1 <sup>st</sup> May 2018
<b>Inspector</b>	L. Dockery

## 1.0 Introduction

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

## 2.0 Site Location and Description

2.1 The subject site, which has a stated area of approximately 9.8 hectares, is located in the townland of Graigue in the Cork City south Environs, approximately 1.8km south-west of Douglas and 4.1km south of Cork city centre. The site is currently under grass and slopes quite steeply in a south-easterly direction. A farmhouse and a cluster of agricultural buildings exist towards the northern boundary of the site. A number of mature trees are evident within the farmhouse courtyard and gardens. A distributary of the Donnybrook River flows along the southern boundary of the site.

2.2 Cooney's Lane is a narrow country road and a 50kph speed limit applies to this area, although speeds appear higher.

## 3.0 Proposed Strategic Housing Development

3.1 The proposed development comprises an application for demolition of existing dwelling, derelict coach house and farm buildings and construction of 231 no. residential units, crèche, realignment of Cooney's Lane and all associated works.

3.2 The breakdown of the 231 units are as follows:

	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Houses	-	-	157	20	8	185
Apts/Duplex	13	33	-	-	-	46
Total	13	33	157	20	8	231

3.3 A mix of terraced, semi-detached and detached dwellings are proposed, together with apartment/duplex units. The proposed crèche has a stated area of approximately 118 square metres and is located towards the northern end of the site, with direct access from the local roadway.

3.4 The proposal includes for the demolition of the existing farmhouse and associated out-buildings, and for the re-use of some of the stone in mews- type units, to be located close to the footprint of the existing structures.

3.5 The gross density is stated as being 23.57 units/ha (based on a site area of 9.8 hectares) while the net density is stated as being 30 units/ha (based on a site area of 7.7 hectares).

#### 4.0 National and Local Planning Policy

##### 4.1 National

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

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated 'Urban Design Manual')

- Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities
- Design Manual for Urban Roads and Street
- Childcare Facilities – Guidelines for Planning Authorities

#### 4.2 Local

4.3 The Cork County Development Plan 2014 is the operative County Development Plan for the area. The site is located within the County Metropolitan Strategic Planning Area.

The Ballincollig Carrigaline LAP 2017 applies and site is located within the development boundary of the Cork City South Environs.

Zoning: Residential Zoning-Medium A density (20-50 units/ha)

#### Relevant Objectives:

SE-GO-01- Secure the development of 1,285 new dwellings in the South Environs between 2017 and 2023

SE-R-07- TIA required to address need for road and junction improvements in vicinity

SE-U-03- Provide pedestrian walkway through stream valley to connect to open space to east

#### 5.0 **Planning History**

5.1 There is no relevant history pertaining to the subject site.

#### 6.0 **Section 247 Consultation(s) with Planning Authority**

5.1 The planning authority states that two pre-application consultations took place with them on 13/10/2017 and 17/01/2018.

## 7.0 Forming of Opinion

7.0.1 Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide brief detail on each of these elements below.

### 7.1 Documentation Submitted

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia, completed application form, cover Letter including Breakdown of Accommodation, Part V, S247 Meeting Minutes; letters of Consent; Statement of Consistency; Appropriate Assessment Screening Report; DMURS Compliance Report; Landscape Design Report; Architectural Heritage Impact Assessment; Structural Conservation Condition Assessment Report; Traffic and Transport Assessment; Engineering Planning Report; Design Report; Residential Uses; scaled drawings and a completed pre-connection enquiry feedback form from Irish Water.

7.1.1. In addition, section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development plan or local area plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000.

These statements have been submitted, as required.

7.1.2. I have considered all of the documentation submitted by the prospective applicant, relating to this case.

### 7.2 Planning Authority Submission

7.2.1 In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Cork County Council, submitted the minutes of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on May 14<sup>th</sup> 2018.

The planning authority's 'opinion' included the following matters: planning history; policy and principle, density and housing mix, urban design and layout, access arrangements and connectivity, conservation, surface water disposal and site services, AA and ecology, landscaping and boundary treatment, archaeology and Part V. The report concludes that the development of the site is acceptable in principle from a local policy perspective having regard to the zoning objectives for the site, subject to normal proper planning and sustainable development considerations. A number of points were raised which are the Bord may wish to have regard to, which include addressing 12 key design criteria of the Urban Design Manual, how net developable area has been calculated; increase in unit density; additional focal amenity space; pedestrian connectivity/priority; usable public open space; breakdown of private open space; capacity of crèche; parking space arrangements and extent of parking provided to serve crèche; retention of existing buildings; proposed surface water disposal arrangements; legal consent to tie into existing foul sewer; ecological survey of existing buildings; landscaping proposals and archaeological assessment.

7.2.2 I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

### 7.3 **Consultation Meeting**

7.3.1 A Section 5 Consultation meeting took place at the offices of Cork County Council on the 24<sup>th</sup> day of May 2018, commencing at 11.30am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

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

1. Development strategy for the site to include density; housing mix; layout in the context of DMURS; open space; architectural heritage; connectivity/permeability; childcare facility
2. Drainage- surface water disposal and foul drainage
3. Ecology
4. Archaeology

## 5. Any other matters

7.3.3 In relation to development strategy, An Bord Pleanála representatives sought further elaboration/discussion/consideration on the following:

- Density proposed in the context of the Sustainable Residential Development Guidelines
- Mix of units proposed particularly in respect of prevalence of three bedroom properties proposed in the documents
- Layout in the context of DMURS and Sustainable Residential Development in Urban Areas with associated Design Manual,
- Open space provision and the desire to ensure that it is functional and usable, passively supervised with good pedestrian and cycle linkages; interface between private and public open space; landscaping
- Demolition of existing farm buildings and proposals for northern element of the site
- Connectivity achievable in the surrounding area and in particular to Douglas neighbourhood centre, to nearby shops and services, to existing public transport links, to the areas of zoned public open space to the east,
- Capacity of proposed childcare facility

7.3.4 In relation to drainage, An Bord Pleanála representatives sought further elaboration/discussion/consideration of the following:

- Clarification that proposed surface water disposal arrangements are acceptable in light of issues raised by the planning authority with regards to existing storm sewer serving adjacent Ardfield development
- Clarification that prospective applicant has consent to connect into foul sewer serving adjacent Ardfield estate, which has not been taken in charge to date

- 7.3.5 In relation to ecology, An Bord Pleanála representatives sought further elaboration/discussion/consideration of the following:
- Clarification whether bats/breeding birds are using farmhouse and associated out-buildings and whether ecological survey of these buildings has been undertaken
- 7.3.6 In relation to archaeology, An Bord Pleanála representatives sought further elaboration/discussion/consideration of the following:
- Details relating to potential subsurface archaeology within the site boundary and whether an Archaeological Assessment has been undertaken
- 7.3.7 In relation to other matters, An Bord Pleanála representatives sought further elaboration/discussion/consideration of the following
- Clarification in relation to extent of parking proposed, areas to be taken in charge, landscaping/boundary treatments, Building Lifecycle Report, School Demand Report and Part V.
- 7.3.8 Both the prospective applicant and the planning authority were given the opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 301431' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

## 7.4 **Conclusion**

- 7.4.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 7.4.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage, details of which are set out in the Recommended Opinion below.



7.4.3 Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

## 8.0 Recommended Opinion

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

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

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

### 1. Density

Further consideration/justification of the documents as they relate to the density in the proposed development. This consideration and justification should have regard to, inter alia, the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) in relation to such sites. Particular regard should

be had to need to develop at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the proximity of the site to Douglas and Cork City Centre and to established social and community services in the vicinity. The further consideration of this issue may require an amendment to the documents and/or design proposal submitted relating to density and layout of the proposed development.

2. Design, Layout and Unit Mix

Further consideration/justification of the documents as they relate to the layout of the proposed development particularly in relation to the 12 criteria set out in the Urban Design Manual which accompanies the above mentioned Guidelines and the Design Manual for Urban Roads and Streets. In addition to density which is addressed above, the matters of unit mix; arrangement and hierarchy of streets; the creation of character areas within a high quality scheme should all be given further consideration. Further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

3. Public Open Space

Further consideration of the documents as they relate to the open space proposed particularly in the context of the quantum of open space proposed, the surveillance of the open space, the usability of the active open space and proposals for passive open space in the context of landscaping proposals. In addition, further consideration of the documents as they relate to pedestrian and cycle facilities connecting the proposed development with Douglas, existing transport services, adjoining residential development and the area of zoned public open space to the east of the site. The further consideration of these issues may require an amendment to the documents and/or design rationale submitted.

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. Drainage details, having regard to Pre-Connection Enquiry Report of Irish Water dated 22<sup>nd</sup> March 2018, together with section 4.6 of the planning authority report dated 14<sup>th</sup> May 2018
2. A report identifying demand for school places likely to be generated by the proposal and the capacity of existing schools in the vicinity to cater for such demand.
3. A Building Lifecycle Report, as per section 6.13 of Sustainable Urban Housing: Design Standards for New Apartments- Guidelines for Planning Authorities (2018)
4. Archaeological Impact Assessment
5. Ecological Survey of existing buildings
6. A phasing plan for the delivery of the proposed development
7. A site layout plan indicating what areas are to be taken in charge by the planning authority
8. A Childcare Demand Report outlining anticipated demand likely to be generated by the proposal and the capacity of existing childcare facilities in the vicinity to cater for such demand.
9. Site Specific Construction and Environment Management Plan (CEMP)

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

1. The Minister for Culture, Heritage and the Gaeltacht
2. The Heritage Council
3. An Taisce
4. Inland Fisheries Ireland
5. Irish Water

6. Transport Infrastructure Ireland
7. Commission for Energy Regulation
8. Local Childcare Committee

**PLEASE NOTE:**

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

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Lorraine Dockery  
Senior Planning Inspector

07<sup>th</sup> June 2018