



An
Bord
Pleanála

Inspector's Report ABP-301610-18

Development	Construction of 277 no. residential units.
Location	Castlelake, Terrysland, Carrigtwohill, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	17/5399
Applicant(s)	BAM Property Ltd.
Type of Application	Permission
Planning Authority Decision	To Grant Permission
Type of Appeal	Third Party
Appellant(s)	Carrigtwohill Community Council
Observer(s)	No observers
Date of Site Inspection	9 th of August 2018
Inspector	Erika Casey

1.0 Site Location and Description

- 1.1. The subject site has an area of 10.36 hectares and forms part of the Castl lake residential development in Carrigtwohill. This is a large housing and mixed use development that was granted planning permission in 2002 and 2003. Parts of the estate have been completed and parts remain partially developed and undeveloped including a partially completed apartment block at the centre of the scheme. There is extensive hoarding around the undeveloped sites in the development. The site is located to the north west of Carrigtwohill town centre.
- 1.2. The subject site is bound to the north by the railway line, with the Carrigtwohill train station located to the north east. The lands between the application site and the station are zoned for mixed use development to include enterprise development, high density residential, small scale retail and community uses. To the north of the railway track, further lands are zoned for residential and community development. To the south, are the central park and lake and lands reserved for a new school campus. Further south, is Main Street and an Aldi Discount Foodstore. To the west, is the existing Castl lake housing development and further undeveloped residential lands. Station Road bounds the site to the east.
- 1.3. Existing access to the site is via the existing main distributor road system in Castl lake to the south west.

2.0 Proposed Development

- 2.1. The proposed development comprises 277 residential dwellings on a site that previously had the benefit of a planning approval for a large scale housing development. The parent permissions pertaining to the lands were granted under Planning Authority Reference 00/7674 (ABP Reference PL.04.131129) and Planning Authority Reference 00/7607 (ABP Reference PL04.125446). These permissions were subsequently extended, however, both expired in late 2016 and 2017.
- 2.2. A design statement submitted with the application notes that due to a number of factors including changes in design approach and market requirements, it is

necessary to redesign the layout of this part of the development. In addition, as the parent permissions have expired, a new permission to enable the completion of the estate is now required. The revised layout for this part of the estate provides for an increase in the percentage of detached and semi-detached units and reduces the quantum of terrace, duplex house and duplex apartments from that previously permitted. The overall number of units is reduced from 350 to 277.

2.3. The proposed housing mix proposed is as follows:

Detached – 43 (15.5%)

Semi Detached – 94 (33.9%)

Terraced – 40 (14.4%)

Duplex House – 9 (3.2%)

Duplex Apartment – 9 (3.2%)

Apartments – 82 (29.6%).

2.4. At further information and clarification of further information stages, a number of amendments to some of the house types were proposed to provide a better standard of accommodation. The rear gardens of a number of the dwellings were increased to achieve the required quantitative standards. Amendments to the general layout, road layout and improvements to the provision of public open space within the development were also made to include 7 no. neighbourhood play areas, 2 local play areas, 1 no. district play area and 1 no. MUGA (multi use games area).

2.5. It is also noted that at further information stage, clarity was sought regarding the applicants proposal to lodge a concurrent application for a crèche. Permission for the crèche under Planning Authority Reference 18/4693 was granted in July 2018.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 To Grant Permission subject to conditions. Conditions of note include:

Condition 42: A temporary pedestrian link from the north east of the site towards the station car park to be provided across land under the applicant's control (pending a permanent link through these lands as part of a future development).

Condition 43: Before development commences a detailed phasing plan for the site to be submitted for agreement by the Planning Authority. It shall include the following elements:

- No more than 70 houses may be occupied ahead of the completion of a crèche development to serve the site and associated road connecting roundabout 2 with Station Road junction south.
- No more than 70 houses may be occupied ahead of the completion of the road link east from Lake Drive through roundabout 2 and onto Station Road.
- The provision of the temporary pedestrian route required by condition 42 above.

3.2. Planning Authority Reports

3.2.1. Planning Reports (27.97.2017, 28.07.2017, 22.01.2018 and 13.04.2018)

- The proposed units are within a partly developed estate. The principle of residential development here is established. The site is in close proximity to the rail station and achieving the development of the site is welcome from a planning perspective.
- The site has the benefit of permission for a higher density development (350 units granted previously on this site). The current proposal represents a reduction in density to 27 units per hectare. The zoning objective in the 2017 Local Area Plan is for medium density residential development. The portion of the site closest to the station is proposed for apartments. In addition, the applicant identifies a site adjacent to the station which is earmarked for a future higher density proposal. It is within the applicants control but not within the red line of the subject application. The density proposed is in the lower range of the medium density zoning and might be considered relatively low for a site in close proximity to the station. Nevertheless, it is within the allowable range.

- The LAP includes an objective for a road line linking the existing development to Station Road to the east. The application includes the provision of this road. It also includes a road line running north towards the station to link with an already constructed underpass of the line.
- The application proposes the completion of the road link to Station Road. This is a significant development and will improve connectivity for the existing residents of Castlelake. It is also desirable to provide a direct pedestrian connection from the site to the station. The lands adjoining the n-east of the site that are in the applicant's ownership and identified as a future high density development could accommodate a temporary pedestrian connection to facilitate a link to the station car park lands. This would provide a direct pedestrian route to the station for the wider Castlelake development. A condition is recommended in this regard.

3.2.2. Other Technical Reports

Public Lighting (15.06.2017, 21.12.2017 and 28.03.2018): No objection subject to condition.

Housing Officer (21.12.2017, 03.07.2017 and 28.03.2018): Recommended Further Information with respect to unit size of proposed Part V units.

Estates (18.07.2017, 16.01.2018 and 26.03.2018): No objection subject to condition.

Traffic and Transport (14.07.2017 and 21.12.2017): No objection subject to condition.

Area Engineer (18.07.2017): No objection subject to condition.

3.3. Prescribed Bodies

Irish Water (11.07.2017 and 16.01.2018): No objection.

Inland Fisheries Ireland (28/06/2017): No objection subject to condition.

Irish Rail (21.09.2017 and 19.01.2018): Notes that boundary treatments are acceptable. Concerns regarding potential capacity constraints of the railway culvert if lands to the north of the site are developed. Notes that removable bollards to restrict

the use of the underpass to pedestrian and cycle use only is acceptable. State that Irish Rail should be consulted regarding any proposed foundation design in this area.

3.4. **Third Party Observations**

Carrigtwohill Community Council

- There has been a failure to comply with previous permissions on the site. Notes a number of conditions attached to the parent permission and states that these have not been complied with. In particular, there has been a failure to complete the spine road from the junction of Main Street through to the junction of Station Road which has resulted in severe traffic congestion.
- Note history of flooding in the area and submit that the water retention lagoon and capacity in the Castlelake development is insufficient.
- Consider that inadequate community facilities have been provided and condition requiring the provision of a temporary football pitch has been breached.

Cul Ard Residents Association

- Existing road infrastructure from the village to the train station is insufficient to deal with the current volume of traffic using this road.
- Road connecting Cul Ard and Castlelake must be completed prior to any further development taking place.
- Consideration of potential traffic from proposed schools on adjacent lands must be considered.
- Adequate open space must be provided.

Oliver Sheehan, Ballinbrittig, Carrigtwohill

- Concerns regarding potential flooding impact.
- No development should occur until the Northern Ring Road is completed. Concerns regarding traffic congestion and lack of parking in the village.
- Temporary playing field is not acceptable.

4.0 Planning History

4.1 There are two parent permissions pertaining to the site:

Planning Authority Reference 00/7607/Appeal Reference PL04.125446

4.2 Permission was granted by the Board in May 2002 for Phase 1 of a development comprising 771 dwellings, seven commercial/retail units, hotel, shopping centre with supermarket, 4 no. retail units with café/diner, crèche, recreational amenities and reservation of site for potential school development.

4.3 Conditions of note included condition 2 which required that prior to the commencement of development, a revised phasing programme for development shall be submitted to the planning authority for agreement and that development shall be carried out in two main phases - 1A and 1B. Under clause (f) of this condition, it stated that Phase 1A shall include completion of the spine road, from the junction with Main Street (new roundabout junction), through the site up to the junction with Station Road.

4.4 Condition no. 17 stated that a temporary football pitch shall be provided to serve the development, in a location to be agreed with the Planning Authority. This pitch shall remain in place and be available to the residents of the development, until and unless the developer provides a new, permanent pitch on the lands north of the rail line, which are indicated as potential playing fields on the site layout plan.

4.5 An extension of duration of permission in respect of this application was granted under Application Reference 11/4857 on the 27th May 2011. The permission ceased to have effect on 30th of May 2016.

Planning Authority Reference 00/7674/Appeal Reference PL04.131129

4.6 Permission was granted by the Board in October 2003 for Phase 2 of the development comprising 813 residential units including 221 apartments, reservation of site for potential railway station and park and ride facility, post primary school campus and associated active recreational uses.

4.7 Condition 17 of this permission also required the provision of the temporary football pitch.

4.8 An extension of duration of permission in respect of this application was granted under Application Reference 12/5005 on the 05/07/2012. The permission ceased to have effect on the 18th of October 2017.

4.9 There were a number of amendment applications pertaining to the permitted development including 05/862, 05/4357, 05/7728, 06/8004, 11/5087, 11/5088, 14/4308.

4.10 Other relevant permissions include:

05/6223: Construction of mixed use development consisting residential dwellings and commercial building granted in March 2006.

06/13582: Mixed use retail, office and residential development granted in February 2007.

07/7404: Mixed use retail, commercial and residential development including 120 bed hotel granted in July 2008. Extended under 12/6066.

08/6246: Residential development of 18 semi-detached dwellings granted in November 2011. Extended under 13/5949.

08/9236: 6 retail warehouse units granted in September 2009. Extended under 14/4666.

09/5055: Redesign and replacement of 64 no. residential dwelling units with 75 no. dwelling houses granted in September 2009. Extended under 14/4668.

09/5635: Residential development of 50 no. dwellings granted September 2009. Extended under 14/4669.

09/6457: 24 classroom primary school granted in November 2009. Extended under 14/4667.

09/7936: 90 bed nursing home granted in September 2010. Extended under 15/6759.

10/4486: Alteration and change of use to primary care centre granted in November 2010. Extended under 15/6760.

14/4423: Permission granted for 17 dwellings in July 2014.

Application Reference 18/4693

4.11 Permission granted on a separate site to the south of the site for a crèche facility with an area of 581 sq. metres in July 2018.

5.0 Policy Context

5.1. Development Plan

Cobh Municipal District Local Area Plan 2017

5.1.1 The operative statutory plan for Carrigtwohill is the Cobh Municipal District Local Area Plan 2017. The plan details that the overall growth strategy is to promote growth in areas served by the rail corridors east of Cork where there is a high quality public transport service already in place. Significant growth is planned in Carrigtwohill and it is set out that there will be a requirement for an additional 3,656 units in the town. One of the overall aims for the town is to realise the significant population growth proposed to maximise the value of the suburban rail project. The rail line to Carrigtwohill re-opened on 30th July 2009 and now offers a half hourly service to Cork City in the peak, with a journey time of 16 minutes.

5.1.2 Under the LAP, the subject lands are zoned CT-R-01 – medium density residential development. There is no definition of medium density development under the LAP. Under the Cork County Development Plan 2014, medium density development is defined as being within the range of 20-50 dwellings per hectare. It is stated that this density is applicable in city suburbs and larger towns over 5,000 population and rail corridor locations such as Carrigtwohill. It is further stated that on such medium density lands there will no requirement for apartment development as part of the mix of units. The County Plan defines high residential density as being a minimum of 35 units per hectare.

5.2 Other Policy

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas

5.2.1 The guidelines provide guidance regarding development adjacent to public transport corridors and recommends that increased densities should be promoted within 1 km of a rail station. It states that:

“In general minimum net densities of 50 dwellings per hectare subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations/bus stops and decreasing away from such nodes.”

National Planning Framework 2018

5.2.2 The National Planning Framework promotes the consolidation of urban areas and compact growth with a focus in promoting 50% of future growth into the 5 key cities, including Cork. It notes that a major new policy emphasis on renewing and developing existing settlements will be required, rather than continual expansion and sprawl of cities and towns out into the countryside. The target is for at least 40% of all new housing to be delivered within the existing built up areas of cities, towns and villages on infill and/or brownfield sites. The NPG reinforces national policy towards higher densities in key urban areas and states:

“Activating these strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.”

5.3 Natural Heritage Designations

5.3.1 The nearest Natura 2000 sites are the Great Island Channel SAC and the Cork Harbour SPA located c. 1.1 km to the south of the site.

6.0 The Appeal

6.1. Grounds of Appeal

Carrigtwohill Community Council

- Note that there have been breaches of previous conditions imposed by An Bord Pleanála in respect of earlier phases of development with regard to the completion of a spine road through the development. Condition 43 attached to the current decision stipulates that no more than 70 houses may be occupied ahead of the completion of the link road. It is submitted that the construction of a further 70 houses should not be permitted pending the completion of this road. It is entirely unacceptable that the Council would grant permission for a

further 70 houses before insisting that the condition which has been breached for almost 18 years would be allowed to remain outstanding.

- When permission was first granted for this development under two applications totalling in aggregate of 1,500 units, minimal community facilities having regard to the scale of development were permitted. There is no community facility anywhere in the development. Note in particular failure to provide a temporary football pitch in accordance with condition imposed by the Board.
- Concerns regarding flooding and note that flooding has been experienced within the Castl lake development itself as well as on adjoining sites. This suggests that the water retention lagoon and capacity in the Castl lake development is insufficient. State that no further development should be permitted until deficiencies in the existing attenuation systems are addressed.

6.2. Applicant Response

- State that there has been no breach in the conditions pertaining to the overall development. There have been delays for reasons of economic and commercial necessity. Note that the original permission granted have been subsequently modified by no less than 24 permissions. The original phase 1a of the Boards decision to which the appellants refer has not yet been completed.
- The reason for the condition pertaining to the link road is sensible and to some extent self serving. The income from the 70 units will finance the completion of the main link road which in turn will be wholly necessary in order to successfully market the remainder of the estate. The absence of such an enabling planning consent may well further delay the provision of this necessary piece of infrastructure.
- The agreed temporary open space has been provided. A HSE managed community health care centre is about to open. A notification of permission has been received for the provision of an additional crèche. Permission has been sought and granted for a nursing home, but no operator has expressed an interest in running such a facility. Permission has been granted under planning ref. 09/6547 as extended by 14/4667 for a primary school campus. BAM

Property has provided utmost support and facilitation in order to provide for such facilities.

- The issue of storm drainage is fully dealt with in the engineering responses to the requests for further information and the planning authority's reports on same.
- Some 406 residential units have been built and occupied along with a major retail outlet, office block and shops. The base for the major link road is insitu. The present proposal ensures major road linkages, not just to serve the proposed residences but also to facilitate the secondary school development, direct access to the rail station from the estate and access to the major underpass which opens up the strategic development zone north of the railway line.

6.3. **Planning Authority Response**

- No response received.

6.4. **Observations**

- No observations.

6.5 **Further Submission**

Cork County Childcare Committee

- Endorse the proposal for a crèche facility approved under Application Reference 18/4693. Note that there are 511 children aged between 0-6 in the Carrigtwohill area and recommend that the facility operate a full day care service.

7.0 **Assessment**

7.1 The main issues in this appeal are those raised in the grounds of the appeal. Appropriate Assessment also needs to be addressed. It is also considered that although not raised by the third party other substantive issues arise. These new issues considered under this assessment include design and density. I advise the

Board that as these are new issues, if the Board agrees with the assessment and recommendation set out hereunder, they may wish to recirculate to the parties for comment prior to the decision as per the requirements set out under section 137 of the Act.

7.2 The issues can be dealt with under the following headings:

- Principle of Development and Density
- Link Road to Station Road
- Community Facilities
- Flooding
- Design
- Appropriate Assessment

7.2 Principle of Development and Density – New Issue

7.2.1 The proposed development comprises 277 residential dwellings on a site previously approved for a large scale residential development. The site forms part of the Castl lake scheme which has been subject of a number of planning applications for extensive residential, commercial and retail development. To date, c. 406 residential dwellings, offices, retail and an Aldi Discount foodstore have been constructed. Extensive areas of the estate remain undeveloped.

7.2.2 The parent permissions pertaining to the site have now expired. The applicant is seeking a new permission for a portion of the site located to the east of the lands. A lower density of development than that previously approved is sought as well a different mix of house types. The development also provides for the completion of the spine road through the estate linking to Station Road to the east. A new access road to a proposed underpass to connect to future development lands to the north is also proposed.

7.2.3 The site is zoned for residential development under the Cobh Municipal District Local Area Plan 2017. Having regard to the location of the site, its planning history and the zoning objective pertaining to the lands, the principle of residential development is acceptable at this location.

- 7.2.4 It is noted however, that the density of development now proposed on this portion of the lands has reduced significantly from that previously permitted. It is detailed in the application documentation that this portion of the site had the benefit of permission for 350 units. There is a significant reduction in the quantum of terraced and duplex units proposed. The terraced units have decreased from 30.3% to 14.4%, duplex houses from 14.3% to 3.2% and duplex apartments from 14.3% to 3.2%. The scheme is largely dominated by detached and semi-detached units. It is stated that the revised housing mix is required due to market requirements.
- 7.2.5 It is detailed in the Planning Authority Planner's Report that the gross density of the development is 27 units per hectare. Having regard to the local spine distributor road, the net density is calculated to be c. 30.8 units per hectare. It is stated that there is a further pocket of land in the applicant's ownership between the subject site and the train station that will be developed in the future for higher density development. This portion of land is however, outside the redline boundary of the site and there is no timescale for its delivery.
- 7.2.6 I have concerns regarding the density of development as proposed. The subject lands are located in immediate proximity to Carrigwohill Train Station which provides a regular commuter train service to Cork City Centre. Whilst I acknowledge the applicants case that the revised layout is to respond to current market requirements, regard must be had to national guidance and in particular the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas with regard to development adjacent to public transport corridors. As detailed in section 5.2.1, the guidelines advocate net densities in the range of 50 dwellings per hectare within public transport corridors, with the highest densities being located at rail stations/bus stops.
- 7.2.7 Under the current LAP, the lands are designated for medium density development and the County Plan provides a density range of between 20 and 50 units per hectare on such lands. Higher density development is defined as having a minimum density of 35 units per hectare. I acknowledge that densities of 50 units per hectare may be at the upper end of what is viable at this location, however, in my opinion, the proposal for a net density of 30 units per hectare is well below the appropriate density target for this location and represents an unsustainable form of development. I do not consider that the site would be developed at a sufficiently high density to

provide an acceptable level of efficiency in the use of serviced lands having regard to their excellent public transport connectivity. The development would be thus contrary to the proper planning and sustainable development of the area.

7.3 Link Road to Station

7.3.1 One of the primary objections raised by the third party is the failure to deliver the link spine road through the development to connect with Station Road to the east. It is argued that the applicant has reneged on the condition imposed under Planning Application Reference 00/7607/Appeal Reference PL04.125446. Condition 2 (f) of this permission required the completion of the spine road from the junction with the main street, through the site up to the junction with Station Road as part of the first phase of development. The appellants argue that the phasing condition imposed by the Council in respect of the current application that a further 70 dwellings could be constructed (although not occupied) prior to the completion to the road link is unacceptable.

7.3.2 The applicant's state that Phase 1A of the development as originally proposed is not yet completed. It is detailed that the income from the additional 70 units will finance the completion of the main link road and is necessary to market the remainder of the estate.

7.3.3 The link road connecting main street to Station Road is a critical piece of infrastructure required to facilitate the subject development. It is clear from the Boards Order in respect of the parent permission (Appeal Reference PL04.155446) that phasing was critically important in order to ensure the appropriate delivery of infrastructure and services to serve this large residential development.

7.3.4 To date, c. 406 residential units have been completed in the development. As outlined under drawing reference 1007 submitted by the applicants at Further Information Stage, there are also further extensive pockets of housing that are not yet completed but have the benefit of planning permission located directly to the west and south of the application site.

7.3.5 The completion of the link road through the site is welcomed from a planning perspective as it will deliver a long overdue piece of infrastructure to serve the development and will provide access to the school lands to the south. However, I would concur with the appellants that this infrastructure should be delivered prior to

the construction of any further development on the site, particularly in the context of the extent of development completed to date and the further undeveloped residential lands to the west of the site which have the benefit of permission and are to be developed in the next phase.

7.3.6 I note that applicant's comments that Phase 1 as permitted under the parent permission is not yet complete. The layout of the development however, has altered significantly from that originally permitted by way of subsequent permissions. It is evident that a substantial portion of the housing proposed under the first phase as well as some of the housing within Phase 2 has been completed. A further tract of land to the immediate west of the site, originally identified as part of the Phase 2 lands under the parent permission, is identified in the current application as having a current permission for housing and will, therefore, be constructed in the next phase of delivery. It is not unreasonable, therefore, that the road infrastructure required to serve this completed and permitted development should be implemented.

7.3.7 In this regard, notwithstanding my concerns regarding the overall density and layout of the development, should the Board be minded to grant permission for the development, I would recommend the imposition of a condition stating that *"Prior to the commencement of any further residential development on the subject site, that the road link east from Lake Drive through roundabout 2 and onto Station Road should be completed."*

7.4 **Community Facilities**

7.4.1 Concerns are raised by the appellants regarding the lack of community facilities to serve the development. In particular, it is detailed that the applicant has failed to deliver a temporary football pitch that was required by way of condition under the parent permission.

7.4.2 With regard to the football pitch, it was detailed by the applicant at Further Information Stage that a kick about space as opposed to a full size football pitch was provided for on the site. This is located in the open space area to the west of Bramble Close.

7.4.3 I would concur with the appellants, that the kickabout area provided would not constitute a temporary football pitch as required under condition 17 of the parent

permissions. However, the issue of compliance with a condition of an extant permission are an enforcement matter and outside the scope of this assessment.

7.4.4 In terms of community facilities, I acknowledge that the application is part of the wider Castl lake Development. Whilst to date little has been delivered in terms of community infrastructure, I note that lands are reserved for a new school campus to the south of the site which will include sports facilities. Furthermore, there is an extant permission for a primary health centre and permission for a crèche has recently been granted under application reference 18/04693. Permission has also been granted for a nursing home. Under the current application, there are proposals for a MUGA (multi use games area). Having regard to the wider development, I consider that there are sufficient community facilities to serve the scheme.

7.5 **Flooding**

7.5.1 Concerns are raised by the appellants regarding the sufficiency of the attenuation strategy for the development and that there is a risk of flooding.

7.5.2 A detailed site specific flood risk assessment is submitted with the application. The report addresses the historic flooding events that have occurred and it is apparent that these were not due to capacity constraints with the existing attenuation lake. The report notes that the majority of the site is located in Flood Zone C with small parcels of land within areas denoted as Flood Zone A and B. The flood extents within the subject lands are as a result of fluvial flooding. Detailed design measures are included to mitigate potential risk of flooding. Stormwater will discharge to the existing attenuation lake constructed to the south west of the site. Outflow from the attenuation lake to the Woodstock Stream is restricted to pre development greenfield rates. Finished floor levels of the residential units will be set to reduce flood risk as have finished road levels. It is also proposed to culvert sections of existing watercourses within the site boundary extent. Historic flooding was typically due to out of channel flow from these watercourse channels. Floodwater will, therefore, be contained within the culvert structures.

7.5.3 To mitigate the risk of potential downstream flooding, it is proposed to allow the provision of additional floodwater storage volume within the development lands to contain the displaced flood volumes within the development boundary. This

additional flood storage is proposed in the existing attenuation lake which has unused capacity.

7.5.4 I am satisfied that based on the detailed technical information submitted by the applicant and its assessment by the Area Engineer who had no objection to the proposal, that the proposed development will not result in or exacerbate flooding to adjacent lands. It is clear that adequate attenuation measures have been incorporated into the design of the scheme to address surface water run-off including that which occurs in an extreme event. In addition, as a result of the development, works will be undertaken to culvert existing watercourses, thus reducing potential flooding. Appropriate mitigation measures are provided in relation to the raising of floor and road levels. I am satisfied that the flood assessment is robust and, therefore, that the development will not result in any adverse or material flooding impacts.

7.6 Design – New Issue

7.6.1 Having regard to the design of the development, I have a number of concerns. The subject site is physically separated from the train station by a land parcel (Parcel 7b) identified for future higher density residential development. Condition 43 requires the provision of a temporary pedestrian link from the north east of the site towards the station car park to be provided across these lands. I would have concerns regarding the viability, usability and security of such a temporary route across an undeveloped site with no passive surveillance, particularly as these lands are not within the red line boundary of the site and, therefore, there is no clear timescale for their development. This portion of land forms part of the applicant's ownership and its exclusion for the application results in a piecemeal approach to the future development of these lands. Providing a coherent, safe and secure pedestrian connection to the train station is required to facilitate the future development of these lands.

7.6.2 It is noted that concerns were raised by the Planning Authority regarding the quantum and quality of open space through the development. Amendments to the scheme were made at Further Information Stage to address these concerns. Notwithstanding these amendments, I have concerns regarding the location, usability and quality of the open space provided. The proposed MUGA and District Play Area

in particular are isolated to the north of the site adjacent to the railway line and are severed by the proposed second pedestrian underpass. Their accessibility and visibility are, therefore, somewhat constrained. They also have poor passive surveillance, particularly from the western side.

7.6.3 The remainder of the public open space throughout the development is somewhat piecemeal and often incidental. Whilst I acknowledge, that improvements to the layout and provision of open space were made at Further Information Stage, a number of the open space and play areas remain poorly located and configured. The two parks identified as park no. 6 located to the east of the site have a long narrow configuration and are interrupted by turning areas and car parking spaces. Park no. 7 is severed from the adjacent houses and completely surrounded by roads, with an incidental area remaining to the west of this land parcel adjacent to a site identified for future development. Park no. 1 is also poorly configured. The long linear nature of the central open space (identified as park no. 4, no. 2 and no. 5), particularly at its southern end (park no. 5) is also problematic and is shared with several pockets of car parking. It lacks surveillance on its western side at park no. 4 and its eastern side at park no. 5.

7.6.4 It is detailed by the applicants that 16.9% of the site is given over to open space. It is also noted that the feature lake and surrounding amenity walk within the existing Castlelake development is a shared amenity and facility for the entire estate. I consider however, that the subject site is of significant scale and notwithstanding the existing lake and amenity provision in the wider development, there is a requirement to provide open space of sufficient scale and quality to serve the amenity needs of future residents of this development. Whilst the extent of open space provided may constitute over 16.9% of the Site area, I am not satisfied that the quality and layout provides sufficient amenity. I consider the scheme deficient in this regard.

7.6.5 In terms of housing mix and layout, it is noted that a range of house types are proposed. The development however, is dominated by detached and semi-detached dwellings. I have concerns regarding the design of the apartments and particularly the northern elevation which lacks any variation in treatment and provides for a monotonous façade (refer to drawing 2041). I also note that due to the layout, high 2 metre masonry walls are proposed as the boundary treatment along a number of the internal streets. The extent of such a high and blank boundary treatment in particular

on street 3, opposite dwellings B3b 19 to B3b14, at street no. 3 (western end) and at Lake Drive adjacent to the future school site is of concern. In conclusion, I do not consider that the development provides a sufficiently high quality layout, particularly in terms of the layout and provision of public open space.

7.6.6 Whilst the subject application did not include a crèche, a concurrent application for such a facility was granted under Planning Authority Reference 18/4695 to the south of the site. Condition 43 stated that no more than 70 houses may be occupied ahead of the completion of a crèche development to serve the site and associated road connecting roundabout 2 with Station Road junction south. Whilst I acknowledge that this facility has been granted under a separate permission, it is intrinsically linked to the current proposal due the imposition of this condition. I have concerns regarding the location of the crèche facility and its distance from the proposed residential development. Its functional and physical isolation from the main residential area is not appropriate from a planning perspective.

7.7 **Appropriate Assessment**

7.7.1 An Appropriate Assessment Screening Report accompanies the application. This identifies that there is a potential hydrological connection from the site via the Woodstock Stream and in turn the Anngrove River to the Great Island Channel SAC (site code 001058) which is located c. 1.4 km downstream of the works and the Cork Harbour SPA (site code 004030) located 1.68 km downstream of the works.

7.7.2 There is potential for indirect impacts to the Great Island SAC associated with sediment run off and the accidental release of hydrocarbons during the construction phase via the Woodstock Stream and in turn the Anngrove River which drain into the SAC.

7.7.3 The development will be constructed in accordance with best practice to ensure that appropriate control measures will be implemented to avoid the release of substances and excavated material to surrounding drainage features. Furthermore, surface water drainage is via an attenuation pond which will provide a further buffer for sediment and pollution control. Sufficient measures are incorporated into the design of the project including spill kits, hydrocarbon interceptors, surface water management plan etc. that will protect water quality of downstream watercourses.

- 7.7.4 The Screening Report notes the presence of Curly Waterweed, a highly invasive species in the attenuation pond. It notes that in consultation with the IFI, detailed measures will be undertaken to control and prevent the further distribution of this species downstream. It will, therefore, not impact on the Great Island SAC or Cork Harbour SPA.
- 7.7.5 The Screening Report identifies that due to the separation distance between the site and the Cork Harbour SPA, no direct impacts are likely to occur in terms of noise or disturbance to existing birds. As wastewater will discharge to the Carrigtwohill WWTP and surface water drainage (which will incorporate SuDS) will drain to the attenuation pond, no potential indirect impacts are identified. The report concludes that the proposed works at Castlelake will not have a significant effect on the Natura 2000 network.
- 7.7.6 It is reasonable to conclude that on the basis of the information on the file including the Screening Report, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites 001058 and 004030, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and the submission of a NIS) is not, therefore, required.

8.0 Recommendation

- 8.1 It is recommended that permission be refused for the reasons set out below.

9.0 Reasons and Considerations

1. Having regard to the location of the site in immediate proximity to Carrigtwohill Train Station it is considered that the proposed residential development would not be developed at a sufficiently high density to provide for an acceptable level of efficiency in the use of serviced lands and would accordingly be contrary to National Policy as set out in the section 28 Ministerial Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

2. The "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas" published by the Department of the Environment, Heritage and Local Government in May, 2009, require a high quality approach to the design and layout of new housing. Having regard to the proposed site layout, and in particular the poor disposition and quality of public communal open space, the proposed development would thereby constitute a substandard form of development, would provide an inadequate standard of an amenity for future occupants and, therefore, conflict with provisions of the said guidelines. The development would be contrary to the proper planning and sustainable development of the area.

Erika Casey

Senior Planning Inspector

13th August 2018