



An
Bord
Pleanála

Inspector's Report Addendum 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

Note: This addendum should be read in conjunction with my original report on file dated the 13th of August 2018.

1.0 Introduction

- 1.1. On foot of a Board meeting held on the 29/09/2018, the Board issued a Section 137 notice to the parties in relation to the subject development. Section 137(1) of the Planning and Development Act 2000 (as amended) provides that the Board in determining an appeal may take into account matters other than those raised by the parties if the matters are matters to which, by virtue of this Act, the Board may have regard. Section 137(2) provides that the Board shall give notice in writing to each of the parties and to each of the persons who have made submissions or observations in relation to the appeal or referral of the matters that it proposes to take into account under subsection (1).
- 1.2. The Board issued a notice under Section 137 on the 5th of September 2018 stating that they may consider it appropriate to refuse permission for the development for the following reasons:
1. *Having regard to the location of the site in immediate proximity to Carrigtwohill Train Station it is considered that the proposed 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 said guidelines. The development would be contrary to the proper planning and sustainable development of the area.*

1.3 The parties were requested to consider a response to these concerns. This addendum report sets out a summary of the responses received from the parties to the appeal and sets out an assessment of the key issues raised.

2.0 Applicant Response to Section 137 Notice

2.1. A response by the applicant was submitted to the Board on the 1st of October 2018 and can be summarised as follows:

- Notes that the governing permission for the lands was approved by the Board and included a masterplan with lands reserved for the train station. The 2017 LAP for Carrigtwohill specifically zones land for high density development in the vicinity of the station. The Planning Authority differentiated between the high density lands and zone CT-R-01 which it considered suitable for medium density A zoning. The subject lands are located within the medium density A zone. In effect, the planning authority did not judge the subject lands to be in immediate proximity to the station.
- Acknowledges however, that some of the lands may be suitable for higher density where they lie in close, if not immediate proximity to the station. State that a large tract of land previously permitted for residential development is now to be developed for a school campus. Understand that the Department of Housing, Planning and Government owns the station lands.
- Propose to increase the density on two portions of land immediate to the train station. On the northern portion of land where 64 no. apartments are proposed, an additional floor is proposed which will increase the number of units by 16. On the southern site where 26 no. detached and semi-detached house were proposed, a revised layout plan is submitted to provide 80 no. apartments in 2 no. five storey blocks.
- The net result of the above alterations would result in an increase in residential unit numbers from 277 dwellings to 347 dwellings, with an increase in density from 30.82 units per ha to 38.61 units per ha. The revised layout also results in an increase of the open space area to 1.94ha and will include an informal play area, two neighbourhood play areas and two MUGAs. Parking will be provided in a semi basement car park.

- Note that the site to the immediate west of the train station will be subject to a future planning application that will accommodate an 8 storey residential block and that an additional 86 units will be developed on this site which would bring the overall density up to 42 units per ha.
- With regard to open space, note that many factors have changed since the Boards original permission for the overall masterplan for the subject lands. These include the development of a major educational campus on the lands which removes 260 units from the original masterplan; the zoning of land to the north of the rail line which now provides for significant open space and the fact that the present allocation and disposition of open space was agreed with the officers of the Planning Authority in the interests of connectivity between north and south.
- State that the quantum of open space has now increased with the revised layout submitted. Note that the development also benefits from the large central park and lake which is for the use of all residents. As part of the cohesive development plan for the area, there is a north south green route linking the central park northwards to the proposed District Play Area and through the railway underpass to the planned greenway and open park on the north side of the railway. This north south link not only provides a green pedestrian route from the proposed development to the central park, but in time will link to future planned development to the north. In terms of localised open space and play areas, these are located through the site and can be easily overlooked and visually supervised by residents.
- In conclusion, the revision to the layout achieves a higher density and will have the effect of increasing open space.

3.0 Appellant Response to Section 137 Notice

3.1 The appellant's response submitted on the 2nd of October 2018 makes the following main points:

- Note that it was a condition of the parent permission that apartment blocks would be developed as part of Phase 1A. The apartments that have been constructed to date remain vacant and have been subject to vandalism. State

that development which is not in keeping with the area and which is not marketable is not appropriate. Whilst higher density may be appropriate in cities and towns well served with retail, social, entertainment and amenity facilities, consider that Carrigtwohill is not an appropriate location for such development.

- Consider that the existing vacant apartment block is a ‘white elephant’ and testament that high density, high rise apartment developments do not constitute sustainable development in all locations. Do not oppose some increase in density, but consider this needs to be incremental and in keeping with the existing development.
- Consider that amenity provision in the Castlflake development is inadequate as there are no community facilities. State that the Planning Authority have continued to grant further permissions for amendments to the plans and layouts notwithstanding the applicant’s failure to comply with previous conditions including the completion of the spine road and amenity provision.
- The Castlflake development of c. 1,500 units has placed a huge burden on existing community facilities. It is reasonable to require that the developers would make good the deficiencies in the amenity provision in the development as completed to date and provide for a playing pitch and play areas as well as quality open space.

4.0 Section 131 Notice and Applicant Response

4.1 On the 10th of October 2019, in accordance with Section 131 of the Planning and Development Act 2000 (as amended), the Board circulated the Section 137 responses to the parties. The applicant’s response (lodged on the 26th of October 2018) to the appellant’s submission makes the following main points:

- Note that the vacant apartments on the site were constructed c. 10 years ago and were never competed. The property went into NAMA and has been neglected in the intervening years. With the return of the market, it is hoped that this part of the site will be completed and occupied.
- Site masterplan enclosed which indicates that whilst some parts of the site have been re-planned over the years, this has been to improve the scheme.

History of land ownership set out. State that as part of this application, the east west spine road would be completed facilitating access to the remaining development land, the school campus, links to the train station and the northern link road. The applicant will be in a position to complete the said road when development recommences on site.

- State that there is substantial amenity provision in both the existing and planned phases of the overall Castlelake development and that a combination of small well supervised play areas and larger open spaces are provided. The planned future development, including this application, will provide additional and differing amenity facilities for the overall site. The proposed school campus will deliver a GAA sized pitch which is to be shared with the community.
- Note that the site is served by an Aldi store and that the HSE have occupied units overhead for the provision of a primary health care centre. A crèche has been granted under a separate permission. When Carrigtwohill reaches a critical mass of population, more commercial facilities will follow. The development is an opportunity to complete the objectives of the overall masterplan.

5.0 Additional Assessment

5.1. Two principal issues arise for further consideration since my previous report:

- The revised proposals submitted by the applicant in response to the Section 137 notice, in particular the revised plan with regard to density and layout.
- Comments regarding open space and amenity provision and revisions to the layout to incorporate additional amenity facilities.

Revised Proposals

5.2 In order to increase the density of the development, the applicant proposes revisions to two portions of land within the overall layout plan, located closest to the train station. The principal amendments relate to an additional floor of apartments on the block proposed to the north of the site and the replacement of 26 no. detached and semi-detached houses with 80 no. apartments to be accommodated in two five storey blocks. The proposed revisions will increase the number of residential units

from 277 units to 347 units and the overall density increasing from 30.82 units per ha to 38.61 units per ha.

- 5.3 The applicant also states that there is a further land parcel in the ownership of the applicant to the west of the train station which will be brought forward in the future for further higher density development. As per my previous report, however, this portion of land is located outside the red line boundary of the site and there is no timescale for its delivery.
- 5.4 Having regard to national guidance including the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, densities in the range of 50 units per ha are advocated for adjacent to public transport corridors. As noted previously, I acknowledge that densities in this range may not be viable at this location having regard to the existing character and location of Carrigtwohill. In this context, I consider that a density of 38 units per ha as proposed in the revised plans submitted by the applicant is generally appropriate.
- 5.5 Notwithstanding the requirements of density, regard must also be had to the quality and design of the revised proposal. In this regard, I have serious concerns, particularly in relation to the two 5 storey apartment blocks proposed on the southern portion of land. The revised proposal, in my opinion, is devoid of any architectural quality. Two linear blocks with poor quality materials, lacking any articulation or variation are proposed. The design is bland and monotonous and fails to integrate or respond to its context. The juxtaposition and relationship of the blocks is also poor with Block G12 fronting onto the side gable of Block G11. I am not satisfied that this is the optimal architectural solution for this site and proposals to increase the density of the scheme, should in my view, form part of a cohesive design response for the overall site.
- 5.6 The concerns of third parties regarding the viability of apartments at this location are noted. I am satisfied however, that if appropriately designed that apartments could form an integral part of the future development of the site and provide a greater range of house type and mix within the development.
- 5.7 The Board should note that I consider the proposed amendments made by the applicant through the Section 137 process to be a material change in the nature and

extent of development proposed. Should the Board be minded to grant permission, it is my opinion, that the applicant should be requested to provide new public notices.

Layout, Open Space and Amenity

- 5.8 It is set out by the applicant that high quality open space provision is provided throughout the development. Notwithstanding the revisions to the layout plan submitted, my concerns regarding the layout and disposition of public open space within the development remains. It is detailed that the north south link provides a green route pedestrian access from the development to the central park and will link to future planned development to the north. This green route is however, poorly connected to the central park and is segregated from it by Lake Drive, although it is noted that overall connectivity within the route has been improved which is welcomed. As noted in my previous report, the linear park has poor passive surveillance in parts and is interrupted by turning areas and car parking spaces at a number of locations. Park 7 remains severed from adjacent housing and surrounded by roads. Park 1 is also poorly configured with a long linear form. No revisions have been made to the layout of these spaces.
- 5.9 The revised layout increases the overall quantum of open space within the development from 16.9% to 22.17% which is positive. An additional informal play area is provided to serve the proposed apartments, as well as 2 no. additional MUGA. The additional MUGA's are again however, located in a somewhat peripheral location to the far east of the site.
- 5.10 As per my original report, notwithstanding the revisions submitted, I still have concerns regarding the overall quality of the layout. As previously noted, a temporary pedestrian link from the north east of the site towards the train station is to be provided. Whilst it is stated by the applicant that these lands will be brought forward for higher density development, no timescale or certainty is provided as to when development on these lands will be delivered. I consider that the provision of a safe and secure pedestrian connection from the lands is an essential requirement to facilitate their future development and that the development layout in its current format represents a piecemeal approach. My concerns regarding the location of the crèche and its functional and physical isolation from the development also remain.

Conclusion

5.11 To conclude, while the revised layout achieves a higher density, it remains problematic in terms of the design and architectural quality of the proposed apartments, the quality and disposition of open space provision and connectivity to the train station and crèche. I, therefore, consider that the revised plans and submission made by the applicant do not fully address the reasons for refusal set out in my previous report and as referenced by the Board in the S.137 notice issued to the Applicants.

6.0 Recommendation

6.1. Having regard to the above assessment, I recommend that planning permission be refused, for the reasons and considerations as set out below.

7.0 Reasons and Considerations

1. 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 and future connectivity to Carrigtwohill Train station, 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. Furthermore, it is considered that the proposed development, including the revised proposal submitted by the applicant on the 1st day of October 2018 does not provide an appropriate architectural design response for the site. The proposed development is considered to be inconsistent with the proper planning and sustainable development of the area.

Erika Casey
Senior Planning Inspector

3rd December 2018